TAIT'S

EDINBURGH MAGAZINE.

SUPPLEMENTARY NUMBER FOR 1834.

TO THE READERS OF TAIT'S MAGAZINE.

My Good Friends,

If I may judge by the interest which has been taken in the Exposure of the Spy System, first, in the pages of this Magazine, and then in the English Court of Exchequer, this supplemental number, which gives a complete report of the trial *Richmond* versus *Tait's Magazine*, will not be unwelcome to you. Besides, the New Series of the Magazine having commenced with February 1834, the volume for 1834 would have only comprised eleven numbers, but for this additional number.

Having now had twelve months' experience of the support which the public are willing to afford to a periodical which spares no exertion nor expense to lay before its readers a selection of papers, by some of the ablest writers of the day, at *one-third* of the price charged by most of the London Monthly Magazines, and by the Quarterly Reviews, for the same quantity of letter-press; I should, at this time, have communicated to you, my subscribers, the particulars of that complete success which has attended what many thought a doubtful experiment: I shall do so ere long: but my attention has, for several months, been so engrossed by the remarkable struggle in which I have been engaged with the Spy System, in an English Court of Law, that, at present, I can address my friends and subscribers on no other subject. Yet I cannot resist telling you, with pride and pleasure, that I have reason to believe the circulation of this Magazine not less than three times that of the best circulated of the Magazines, (Blackwood excepted,) and nearly ten times that of the least successful of them; that it is, at least, equal to that of the Edinburgh Review; and that, although not equal to Blackwood's, the circulation of *Tait's Magazine* is far beyond what Blackwood's acquired for many a long year, and not very much under what it is even now. In *Scotland*, where it is as yet best known, this Magazine circulates to an extent to which no other Magazine ever reached—to not less, I believe, than double the extent of all the other Monthly Magazines put together, Blackwood included. The Magazine having already, notwithstanding the proverb, obtained such distinguished success in its own country, additional support in England and Ireland, may, in good time, be looked for, without the expectation being liable to the charge of being over-sanguine. But enough on this subject at present. I must revert to the Spy System.

The report of the trial in which I have so recently been engaged, is given at a length corresponding to its great present interest and historical importance. But the private history of this, and of all similar cases, is even more curious and instructive than the relation of what passes in courts, in their investigation. The documentary and *viva voce* evidence, which was either found legally inadmissible, or which, from reasons of personal inconvenience and expense, it was found inexpedient or impossible to bring forward—such as that of Lord Jeffrey and Lord Cockburn, and Sir James Gibson-Craig—is, in reality, as important, as bearing upon the character of the plaintiff, Richmond, as that of the weavers, who directly proved the guilt imputed to that unique personage. This I have for the present reserved. I may only mention that, upon the precognitions of these three gentlemen—taken after the Commission granted to take evidence in Glasgow and Edinburgh had been abandoned, in consequence of the strange and highly improper mode of procedure in which the Commissioner thought proper to indulge Richmond—my agents in Edinburgh wrote me, to London, earnestly advising the delay of the

trial, till the important testimony of these three gentlemen could be made available under a new Commission. But I was satisfied with the strength of the case, and very little disposed for farther delay—the case, from the first intimation, having gone on for eighteen months; and the result shewed that additional evidence, although highly valuable as a contradiction to the impudent assertions of the Plaintiff, was unnecessary. This does not lessen my sense of obligation to those honourable and distinguished gentlemen—to Sir James Gibson-Craig, in particular. Of that worthy Baronet, it may, I believe, be said, as of Hardyknute, whom he resembles in other respects—

> Full seventy winters had he seen,
> With scarce seven years of rest.

Yet, full of years and honours, full also of public business and private, did the good Sir James declare himself ready to travel to London, in the depth of winter, if his evidence, communicated with characteristic frankness, should be considered necessary to the ends of public justice, in ensuring success to my defence.

I may yet have to call upon these gentlemen; for, incredible as it may seem, Richmond, discomfited in his first action, is actually moving in a second action, raised about twelve months ago, against the same party, upon the selfsame grounds as the first, but which he allowed to lie dormant while the first was going on. To renew the case in which he was nonsuited, is not allowable, until the costs are paid; but it would appear, though I scarcely believe it, that, eluding this rule of law, a case substantially, actually indeed the same, may be raised, in which the whole ground must be gone over a second time, witnesses brought again from Scotland, and the same heavy expense laid upon the Defendants as before, without one farthing being paid by Richmond of what is already incurred. When I say the Defendants, I, of course, mean myself, who am bound to protect my highly respectable London Agents. The issue of another, and of a thousand such cases, no man can doubt. But the exposure of the man and the system is already so complete, that I confess I am not in the least ambitious of being again dragged into a distant court, at the loss of many hundred pounds, to combat an antagonist of the description of Richmond. There is neither utility, glory, nor gain, in twice slaying such a foe; and I shall be much disappointed if the law of England does not afford me protection against a second action until the expenses of the first be paid. If the costs are paid as the actions go along, I do not much care how many there may be. By the law of Scotland, Richmond could not bring a second action upon such grounds, until he paid, or at least found security for, the costs of that he had lost. And I cannot believe that so monstrous an injustice as that which he attempts, can be perpetrated under the sanction of law in England. Such a person is usually his own agent and counsel, and takes delight in his work:—active in annoyance and in creating expense* to the Defendants—and a man of straw when the costs come to be paid, which unmatched impudence, pertinacity, and vindictive feeling, have occasioned to those he has the power of dragging into court.

This case, I trust, will operate, along with the many other recent and vexatious libel cases, to fix public attention still more upon the state of the Law of Libel. If nothing be done to amend the law by the Legislature, Juries ought to take its correction into their own hands. There is the authority of Bentham and common sense, to warrant their so doing. An action for libel always proceeds, not on the supposition merely, but on the distinct statement by the Plaintiff, that he has never been guilty, nor even suspected of the charge brought against him. Wherever that statement is not supported by some evidence, much more where it is matter of public notoriety, or is proved by the Defendant that the Plaintiff *has* been guilty, or has been suspected, upon good grounds, of having been guilty of what has been laid to his charge—the accusation always being supposed to relate to some public acts, of which, if true, the public have a right to take cognizance—the Jury should find a verdict for the Defendant. The libel is always described as false and malicious. Surely this ought to be regarded as a proof that, if *not* false and malicious, the alleged libel is not properly actionable. Falsehood and malice are heavy charges, and not such as any Jury should take for the foundation of their verdict, if not made out against the defendant, to their satisfaction. The Judges may say that innocency on the part of the Plaintiff, and falsehood and malice on the part of the Defendant, are what the law presumes; and that such has ever been the practice of their courts. If so, it is time that the practice were changed. Juries have the power to change the practice; and should not scruple to exercise it, whenever they know that by so acting, they are doing substantial justice, and what *ought* to be law in the case on which they are required to pronounce a verdict on oath.

Private character, of course, must be protected. With the private actions of individuals the public has nothing to do; and no person has a right to bring private conduct under discussion before the public, even though the charges made be perfectly true, and proof of their truth be offered. But public conduct requires no protection by a court of law, from the discussion of public writers. The truth must be known to too many, and the falsehood and malice, or the erroneousness of the charge made against an

* Besides the great necessary expense of a Scottish case of this magnitude and interest tried in London, going on for eighteen months, and debated at every step, the loss of £100 at least, besides the labour of weeks, and four or five journeys to Glasgow, was incurred by the Commission to examine witnesses at Glasgow, which the conduct of Richmond, and the licence allowed him by the ignorance of English law, or the weakness of the Commissioner, rendered so entirely useless, that the Report was not even once alluded to by the Defendants' counsel at the trial.

innocent man, be too speedily recognised, to admit of injury to the party whose public acts are arraigned. Suppose that Richmond, as he sets forth in his declaration, had really been a person never known nor ever suspected to have acted as a Spy or instigator of treason; and that, as he also sets out, the articles in the Magazine in which the Spy System is exposed, are, so far as regards him, "false, malicious, and calumnious,"—who would have been the party injured by the libels? Undoubtedly, the Proprietors of the Magazine. The falsehood, malice, and calumny would have been instantly scouted at Glasgow, on the appearance of the articles; to the serious damage of the Magazine, but not of the calumniated individual. For it was Richmond's public acts, which many persons alive could speak to, that were commented on; and these being matter of public history, the truth or falsehood of the charge could not, even at the distance of London, have been many days undiscovered; and, for the moment, a simple denial of the charge would have sufficed to protect his character. When accused, by the chalking of the walls of Glasgow with the words, "BEWARE OF RICHMOND THE SPY," the witness, Mr Prentice of the *Glasgow Chronicle*, urged Richmond instantly to make an affidavit that the charge was false, and he would publish it. Had Richmond done so, and the charge not been true, would not his character have been cleared in a day or two, and the suspicion have been speedily forgotten?

The kind of proof that is exacted from the defendant in a libel case, is also worthy of remark:—Where an alleged guilty man stands at the bar of a court of justice, it is perfectly right that there should be a rigid demand of legal proof of his guilt, before he be condemned to punishment. But, when the alleged guilty man voluntarily comes into court, as the accuser of another man, for having published regarding him a "false, malicious, and defamatory libel," the case is very different, and different should be the rule of law. It should be sufficient, that the defendant shew that the plaintiff has been previously reputed guilty; consequently, that he is not in the situation of a person whose previously good character has been blackened by the defendant. For instance, instead of requiring me to prove, by Richmond's own published Narrative, by his own handwriting, or by witnesses brought from Scotland, that he was a Spy, and a treacherous instigator of an unlawful combination, as completely as might be required to convict him, if placed at the bar of the court, charged by the Attorney-General, on the part of the Crown, as guilty of these crimes—it ought to have been regarded as enough to entitle me to a verdict, that I could produce living witnesses, newspapers, or any evidence which should prove that he had been always reputed as guilty. Such proof would have shewn that *Tait's Magazine* had not "falsely, maliciously, and calumniously libelled him;" but had only assumed, as truth, what had, for sixteen years, been regarded as true. Supposing that, after all, a person so generally reputed as guilty were really innocent, he should not be allowed to select a single individual, and drag him into a ruinous law-suit; making him the scape-goat for the sins of perhaps thousands of other unconscious libellers. He ought to address the public, and prove his innocence, if he can. Richmond published his Narrative partly with that view; with what success, those who read the extracts quoted in the subjoined report, will judge. Or, if allowed to select, as a nominal Defendant, an individual who has given additional currency to the before current report, that individual should not be forced to appear and prove the truth of a charge which he did not originate—which he may be presumed to have believed, and therefore to have repeated without malice or suspicion of its being false—and which may be true, although he should not be in a condition to prove its truth.

In these reflections on the libel law, I may be excused for indulging; having been so recent and so great a sufferer by the law as it now stands, for an exposure wholly without malice, and proved to have been without falsehood; nay, an exposure for which I have received the thanks of the public. It has been made at no small expense of both money and time; and persisted in solely on public grounds; for, I doubt not, that, had Richmond's long letter to me, which I printed in the Magazine for August 1833, been accompanied by ten lines of apology, instead of the damning extracts from his own book, and the unsparing comments that were given with that letter, I would have heard no more of the threatened action.

I cannot forbear taking the present opportunity of thus publicly expressing my thanks to the professional gentlemen who afforded me their assistance in this remarkable contest. My Glasgow agent, Mr John Kerr, one of the shrewdest and most attentive of his profession, saw the nature of the case at once; and gave advice, which, if I had heard it sooner, would have saved the vexatious and expensive procedure under the Commission at Glasgow. My Scottish counsel and highly esteemed friend, Mr James Aytoun, Advocate, ably opposed the unprecedented mode of procedure, in which the commissioner indulged Richmond, and at last stopped a mischievous course, which he could not prevail on the Commissioner to abandon. In the choice of English counsel I was singularly fortunate: Mr Serjeant Talfourd, now M. P. for his native town of Reading, who was recommended to me by my friends, the editors of the *Examiner* and the *True Sun*, had previously given distinguished proofs of zeal and ability in the defence of the public press against actions for libel. I found him a first-rate man of business, as well as a singularly eloquent and impressive speaker, which he is well known to be. With exemplary patience, which, in a man of so much practice, I had not dared to anticipate, he had made himself master of the very numerous details of the case; and I had much occasion to admire the fine sagacity which he shewed, in

fixing on the more material parts of a prodigious body of evidence. A more splendid and effective piece of forensic oratory, than the learned Serjeant's speech at the trial, I never heard, even from the most eloquent of the Edinburgh Whig lawyers. The manner was worthy of the matter. Mr Platt, too, seemed to be a thorough lawyer, such as practice so extensive as his, alone can make. I rejoice to see that he has, since this trial, obtained the honour of a silk gown, as King's counsel. To my London solicitors, Messrs Birkett & Son, I also feel deeply indebted for unceasing attention. The son is ever at his post, ever attentive to the business of the house; and the good jolly-looking elderly gentleman, an honest Tory, took so much interest in the case of the Radical, as to remain in Court both the long days of the trial—a thing which, as his attendance is not required, he had not done, in so long a case for years. It did me good to see the smile of satisfaction lighting up his good-humoured countenance more and more, as the successful issue of the defence became more and more certain. But the real solicitor in this case was Messrs Birkett's managing and confidential clerk, Mr John George Bayley, to whom the charge of the case had been committed. I had never even heard the name of this gentleman when I went to London a few weeks before the trial. But I found a stranger who not only thoroughly understood my complicated and difficult case in all its bearings, but who, with the activity and intelligence of an accomplished man of business, displayed the warmth and anxiety of an old friend, for the success of what he felt to be a just cause. I would conceive it an injustice to society to withhold from public knowledge the character and abilities of a man so capable of serving it, when I have the power of making them known.

To the witnesses, also, I am under great obligation. With the greatest readiness they communicated to me, while making investigations at Glasgow, the facts with which they were cognisant; and although a journey to London, in the middle of winter, was far from being convenient to them, they, one and all, professed their willingness to attend the English Court, if required. And admirable witnesses they proved. All who heard their evidence in Court, were loud in praise of their intelligence and spirit; and their evidence, given in the subjoined Report *verbatim*, will be found highly interesting reading. William M'Kimmie was the first examined. He is a strong and well-made man, with a fine, manly, and distinctly marked countenance, and a deep-toned voice; the very sort of man who would be a formidable conspirator, if his good sense would allow him to engage in a conspiracy. Stewart Buchanan followed. He had been a sailor in his day, as well as a weaver and engine-keeper; and has much of the best parts of a sailor's disposition. The spirited answers of this witness to the bullying cross-examination of Richmond, produced a scene absolutely dramatic. Robert Craig came next; an excellent specimen of an intelligent Glasgow weaver. His letter in the *Glasgow Chronicle*, read at the trial, was alike honourable to his talents and his disposition. Richmond, in introducing that letter, was signally caught in his own snare. William Wotherspoon is a man who has deservedly risen in the world. His appearance in the witness-box was that of an elder of a dissenting congregation. To doubt his truth for a moment, or, indeed, that of any of the witnesses, was impossible. To Mr Prentice, editor of the *Glasgow Chronicle*, I am also much indebted for his readiness to aid me and the just cause. The public are under great obligations to this gentleman for his persevering Exposure of the Spy System at the time, and for years after its introduction. But to Mr Peter M'Kenzie, who was also in Court, although not called to the witness-box, belongs the chief honour of withdrawing the veil from the atrocious proceedings in the west of Scotland, which disgraced the Sidmouth and Castlereagh government in the years from 1816 to 1820. This gentleman's merits deserve more than a passing notice. He shall be better known to the readers of this Magazine ere long.

I have obligations to many others to acknowledge: but want of space forbids my saying more at present.

WILLIAM TAIT.

PRIVATE HISTORY OF THE LONDON NEWSPAPER PRESS.

If I live to return to London, I will tear the mask off these men, and shew the public what sort of persons they are who thus govern the world under the mysterious appellation of "We."—*Speech of D. O'Connell, Esq. at Dublin, November.*

MR. O'CONNELL, you are right. It is due to justice, to honour, to liberty, and to the magnanimous character of this nation, that these men should be unmasked. When so vast an influence is exercised by the Press, it is merciless that the mask should be worn: the most distinguished of our public men, themselves unprotected by the vizor, have thus fallen by mysterious hands—stabbed in the back by men who fight upon the 'vantage ground. As circumstances have given us an extensive knowledge of the *personell* of the Press, we are willing to lend a passing hand in this good cause—thus doing for you and for the world, what neither you nor the world, without such assistance, can have the means of doing for yourselves.

The order to be observed, in our account of the Newspaper Press, is evidently to examine its divisions as they principally appear before the public eye. These are, *first*, the Morning Daily Newspapers; *second*, the Evening Papers, and *third*, the interminable varieties of the Weekly Press.

Accordingly, we proceed to raise the curtain upon the operators at the morning newspapers, commencing with that monarch of periodical literature—the all-powerful *Times*.

The *Times* is a joint-stock company. It is held in twenty-four shares, which, in the time of the late Mr Walter—the father of the present honourable member for Berkshire—were sold at the low rate of £100 per share. Through the exertions of that talented, high-minded, and much-persecuted man, and the continued exertions and talent displayed by his son, this once insignificant concern has risen to its present extraordinary height of prosperity and power in the political world. It is now valued at the rate of £12,000 per share. Of the number of shares, sixteen, or two-thirds of the whole, are the property of Mr Walter himself—he deriving from his interest in the *Times* an income of more than £20,000 per annum, and this continually on the increase. For many years he was the managing proprietor—receiving an additional allowance of £2000 per annum; but since the acquisition of his very enormous fortune, he has retired from Printing-House Square, and set up in the capacity of a country gentleman. He now, in no way whatever, interferes in the management of the *Times*.

The great gun of the establishment is now a Mr Sterling. This gentleman was a captain in the army, and served in the Peninsular war. He is well known to the Duke of Wellington; and though no longer connected with the service, he yet continues to reside at Knightsbridge, opposite the horse barracks, and in the constant society of military men. He is the writer of the principal leading matter of the *Times*—all the "thunder" of that journal having, for now a number of years, proceeded from his pen. He first introduced himself to the concern by sending in a series of letters under the signature of "Vetus," the brilliancy of thought of which procured him an engagement upon terms which have been continually increasing to his present great salary of £1500 per year. Mr Sterling has, however, no connection with the general business of the establishment, receiving that large income only for sending in from his own fireside the principal leader of the day. He is possessed of the most rapid and extraordinary powers of composition—sometimes producing in a single hour a full column of matter—comparable to which nothing certainly has been seen in the political literature of England since the days of Swift. It is mere style, however, for which this gentleman is distinguished; for, in the impetuosity and fire of his mind, political principles are deserted, returned to, and deserted again, with all that rapidity which gives so strong a character for inconsistency to the politics of the *Times*. This has often been felt by the proprietors; but so military are his deportment, habits, and political views, and so proud and unmanageable the temper of the man, that they are compelled to bear much upon this head, for the influence derived from the power and splendour of his style. Thus does Mr Sterling carry over the *Times* to which camp he will. The present support of the government of the Duke of Wellington is entirely attributable to him. It is not asserted, however, that there is anything corrupt in his motives—for Mr Sterling is a man who would neither brook the control nor touch the mercenary gold of the mightiest monarch on the globe. The public may rest assured that he never will be enslaved to any party whatsoever, nor part with the power to dash into ten thousand pieces all who shall dare to prove disobedient to his will. Thus, in his rage at being baffled in his efforts to prevent the passing of the Poor-Law Bill, he has mercilessly malleted out the brains of the fallen tumbler of Vauxhall. The somewhat brutal attacks upon Mr O'Connell respecting his rent—an affair altogether of a private nature between himself and those who chose to retain him in the service of his country; the scorn heaped upon that invaluable public servant, whom he designates as "a Mr Joseph Hume;" the abuse of that accomplished politician, "his apprentice Roebuck," who presumed, contrary to the will of Mr Sterling, to prevent a contemptible little Tory from becoming the representative for Bath; all the abuse of the "dirty Radicals," the "Kensington butcher," and the "Brummagen Hampden," proceeds from the pen of this Man in the Iron Mask. So great his power for evil or for good, and so savage is the use which he latterly has made of his abilities, that it really is high time that the people of England should know something of the profession and temper of a man, who thus, from his house at Knightsbridge, can fling down, as he would make-believe, Ministers of State, and make and mar whom he will. Let us hope that he will become more moderate now that he is known, and that these lines will be felt as a salutary hook in the nose of this leviathan of all the waters of the political world.

Next in importance as manager, or what is termed "the responsible editor" of the *Times*, is a gentleman named Barnes. The thunder has long been wrongfully attributed to him. He seldom, indeed, produces original matter of any kind—and then principally upon subjects of literature and the fine arts. He is an excellent linguist, and a very learned and accomplished man. He is also an indefatigable man of business, and, by night and by day, none can labour harder at the wheel. His salary is £1000 a-year, and he is now the possessor of one-half of a twenty-fourth share in the concern. Possessed of a well-ordered and very comprehensive mind, this gentleman carries on, with infinite ability, the whole machinery of the vast establishment of Printing-House Square. Whether in the appointment of correspondents abroad, or in the selection of the corps of reporters and others, who in numbers are supported from the profuse and well-directed expenditure of the establishment, the discernment of Mr Barnes is seen in every number of the *Times*. He exacts the most implicit obedience to his will; and, excepting the mighty Mr Sterling, all bow down to Mr Barnes. In politics his views are favourable to liberty—he feels the dignity of his post, despises all attempts to draw him from his own course—has

no disposition to abuse his power, and is, in every respect, a fair and honourable man. Therefore we advise him to live further from Printing-House Square than his present house in the Borough; and thus, taking more pedestrian exercise, endanger not himself, from huge overgrowth of body and from over-exertion of the mind—to that kind of dissolution—which comes "as butcher fells an ox."

The division of the *Times* called "the city article," is written by Mr Alsager, a gentleman in Birchin Lane. He has the large salary of £800 per annum, which he, indeed, very amply deserves. Mr Alsager is possessed of the most comprehensive knowledge of the principles of commerce and finance, through which he has rendered important services to his country through the columns of the *Times*, and also, by well-directed speculations, procured a considerable fortune for himself. His opinions are of great weight amongst the monetary bodies in the city, and many a tremendous blunder his warnings have prevented amongst the men who, seated in a parlour in Threadneedle Street, have the keeping of the welfare of the millions of the greatest empire on the earth. Were things well ordered in this commercial community, such men as Mr Alsager would become Chancellors of the Exchequer and the like. Sheep-feeding Lords make sad slaughter in finance.

Mr Bacon is the sub-editor of the *Times;* he and Mr Murray write well and in a smooth style. Mr Walters himself has not force enough for the *Times*; and, knowing that Mr Barnes has a decided objection to his matter, he has long had too much judgment to attempt anything of the kind. The productions of Mr Sterling have been frequently attributed to Lord Brougham. Every possible precaution is taken to conceal this Mr Sterling; and a reporter who wishes to remain upon the *Times*, must be at a considerable distance from any third person, and look very carefully round all points of the compass, before he will venture even to mention his very name. It is death without benefit of clergy. Altogether, there is no newspaper establishment in the world which can bear the shadow of a comparison with this; and notwithstanding the armies of enemies raised up by the occasional indiscretions of Mr Sterling, there cannot be a doubt that the *Times** will very long continue to maintain a considerable share of power in the political world.

Next in antiquity, and, till recently, in political consequence, comes the memorable *Morning Chronicle*. All remember this newspaper in the high and palmy days of the late illustrious Mr Perry. Upon the death of that gentleman, the *Morning Chronicle* was sold to Mr Clements of the Strand, for the sum of £30,000, a price not certainly too large to a person of the capital and ability of mind to grapple with such a speculation. The new purchaser was, unfortunately, not possessed of either of these requisites to success in this very perilous attempt, and his papermaker very soon obtained an extensive mortgage upon the copyright of the paper. Thus crippled in his resources, the great expenditure required for foreign correspondence, and for first-rate talent in reporting from the Houses of Parliament, and from the Police Offices, and the Courts of Law, was nowhere to be found. Then did the *Chronicle* fall fast into the rear. Not only was the foreign correspondence invariably copied from the *Times* and the *Herald* of the preceding day, but the expenses of the establishment were curtailed by the use of types of double the ordinary size, with straggling intervals called "windows," and other expedients for saving a few daily shillings of expense. Thus dwindled away the circulation of this once celebrated paper; and, latterly, its sale did not amount to more than about two thousand copies per day. Under these circumstances, Mr Clements, in January last, disposed of his interest in the *Morning Chronicle* for the sum of £17,000, to Messrs Grote the banker, Easthope the stock-jobber, and Josuah Parkes, the great Birmingham Whig. But even these gentlemen cannot be much flattered upon their present knowledge of the very difficult mysteries of the newspaper trade. The foreign correspondence has certainly improved, and, from the important points of Paris and Madrid, the *Chronicle* is now amongst the earliest in the field; but still the windows remain open in the type, and there is not more than two-thirds of the quantity of matter which appears in the *Times*. But more injurious by far is the interpolation of the writing of some of the proprietors themselves in the columns of the *Chronicle*. This is a most fatal mistake. How many fortunes have been melted into thin air through this most expensive of all the follies of the vain! Though Mr Parkes should write himself up into the Cabinet of the Whigs, yet not then will he find himself repaid for all the thousands he will squander on the way. Men follow not, in these days, the leaders whose battle is not for the liberties of mankind, but for the high places for themselves. The philosophic and invaluable Mr Black should here be allowed, without let or molestation, to expound to the world his own most masterly views upon politics and life. He is the Socrates of the age, and ought not to be superseded by babblers. Upon public grounds we take the liberty of saying these things, because it is the absence of all power of competition which enables the giant of the *Times* to drive back, and to scorn and defy the advancing spirit of the age. There never was such an opportunity as the apostacy of the *Times* presents to the advance of the *Chronicle*.

The *Morning Herald* not having any political influence, may be very speedily dismissed. It attained a large circulation through the liberal expenditure of the late Mr Thwaites, at the juncture of the decline in the affairs of the *Morning Chronicle*. Mr Thwaites was a Manchester warehouseman in London, and invested his capital in this speculation, solely for the

* The errors of the *Times* have, of late, got far beyond indiscretions.

purpose of acquiring a profitable return. Accordingly, great variety was thrown into the miscellaneous matter of the *Herald*, its size also was considerably enlarged, and the wit of Mr O'Dwyer, the police reporter, contributed much to its acquisition of a name. It is a pleasant "family paper," but of no consequence whatever in the political world. Supporting the principle of Reform generally, and yet defending the Orangemen of Ireland, and all the inviolability of the Irish Church; supporting the cause of liberal institutions abroad, and yet paying a correspondent in Spain, who writes of Don Carlos as "the King" at the head of victorious legions, whilst the Christinas are a parcel of miserable devils all going to the dogs. These and a thousand other silly inconsistencies, under the name of *independence*, have brought this paper to be without political mark or likelihood of any kind whatever. Its circulation is much diminished within the last two years. The property is chiefly in Mrs Tarrant, the daughter of Mr Thwaites, a lady who writes a considerable portion of the political articles herself. Thence the name of "Grandmamma's Journal," given to the *Herald* by the wicked Mr Barnes.

The *Morning News* has been built upon the ruins of the *Guardian and Public Ledger*, which it is fast following to the tomb.

The *Morning Post* is well known upon the Conservative side. It was the property of the Messrs Byrne, one of whom, dying of the cholera in the course of a few hours in the year 1832, occasioned the *Post* to be sold, for the sum of £24,000, to the tame elephant, and others of his party. The circulation is small, but, going much into the aristocratic circles, the advertisements are charged at a high price, and form a profitable return. Mr Walton is the writer of the political articles, which are rabid, and therefore lose their effect.

Morning is now over, and we pass to the doings of the Evening.

Of the evening papers, the *Globe* has been the most conspicuous since the advent of the Whig administration. It is edited by Mr Gorton, the compiler of a Biographical Dictionary, and other very fair works. This gentleman has, however, been a mere cipher for the last four years, the political articles having come regularly and daily from the offices of Lords Palmerston and Melbourne. It is called "Cupid's Album," because it is written by Lord Palmerston, and Lord Palmerston is called Cupid, because he kills ladies with his gold chain. Should the course of Cupid not again run smooth, the *Globe* will—but we will not prophesy its fate till we have farther proved its new character.

The *Courier* is a joint stock company, the shares twenty-four, and held by a diversity of persons. Political principle it has absolutely none, and of all the s———ts that ever walked the streets, this has probably been the worst. Amongst others who write editorial articles for its columns, is no less a personage than Louis Philippe, the King of the Barricades. Thus, if the reader will turn to the file of the *Courier* of the date of Thursday, March 29th, 1833, he will there see, in the shape of an editorial article, the defence, by himself, of the King of the French —and certainly a very satisfactory defence— upon the charge of ingratitude towards his minister Lafitte, in suffering his property to be sold. For the last twelve months the *Courier* has been under the editorship of Mr James Stuart, a Scottish gentleman of talent, and the author of a popular work of travels in the United States of America. This gentleman was before the public some years since, in consequence of his duel with Sir Alexander Boswell. Why we mention the private affairs of Mr Stuart, which is done with the greatest respect, is to undeceive the public as to the present standing, property, and influence of the new editor of the *Courier*; for it is given out, and, out of Scotland, very extensively believed, that Mr Stuart has merely become editor of the *Courier*, for the purpose of mental occupation, and to drive away his cares consequent upon the affair alluded to above. So honourable, wealthy, and dignified a person, it is said, would never have accepted an appointment as the editor of a newspaper, without the most perfect liberty of action, upon principles of his own; and, therefore, the independence of the *Courier* is now undoubted and complete. These assertions may be true, and the public may possibly possess this guarantee for the independence and honourable conduct of the *Courier*, but that is no reason why we do not inform our readers that Mr Stuart no longer is possessed of any property whatever, his estates in Scotland, and everything possessed by him in the world, having been swept away by reason of indiscreet speculations at the period of the panic. The public has an undoubted right to be informed that the person who states "that Mr O'Connell wheedles and cheats the peasantry of Ireland out of twopences and pence," is quite as likely to be commanded by his employers to say those things, as any other person whose subsistence depends upon his pen. The *Courier* lately prostrated itself in the dirt at the feet of the Duke of Wellington. His Grace did not deign to pick it up. It is trying to recover from the false stumble—but the mud sticks.

The *Sun* is an evening paper of moderate notoriety. Mr Murdo Young is the proprietor of this luminary. He also found favour with the Whigs, and he still fights well in their behalf.

The *Standard* is owned by Mr Baldwin, and edited by Mr Gifford and the well-known Maginn. This paper is another instance of the power of mere style; for it has fought its way to a large circulation under all the disadvantages of a losing cause.

Finally, we shall glance at that very important division of the metropolitan press, the Sunday newspapers.

First, then, is the colossus of weekly literature, the *Dispatch*. It is the property of Mr Harmer of Hatton-Garden, who has made many

thousands of money by its success—previous to which he possessed not much. Its principal writer is a Mr Williams, who produces the first or principal leading article, and the letter under the signature of Publicola. This gentleman was formerly a lieutenant in the navy, in which capacity he acquired his view of the former tyrannical horrors of our vessels of war, the remembrance of which has given such tremendous power to his pen. His father was an American loyalist, and related to General Hayne, the late very distinguished Governor of the State of South Carolina. Mr Williams has also been the editor of an edition of Thomson's Seasons, and of Milton's Paradise Lost, and the author of an original and powerful work, called "The Tales of Old Mr Jefferson;" books which the public ought to buy, in honour of one of the noblest warriors that ever yet appeared in the cause of the liberties of man.

Superior in brilliancy of style, and little inferior to the *Dispatch* in fixedness of purpose, comes that bright gem of political literature, the *Spectator* newspaper. Great sums of money here have been lost, and certainly very honourably lost. Mr Day, formerly the blacking-maker of Holborn, has had much connection with this paper, expending most liberally—because with little prospect of remuneration—a portion of his fortune in the support of this bright and liberal publication. The price of the *Spectator* is the only stumbling-block to its triumphant success. We, therefore, suggest that, by a diminution of the size of the paper, and the partial discontinuance of its refined productions in literature, theatricals, and the fine arts, the *Spectator* might be conveniently sold at the ordinary price. With this change, it would rise to a circulation of ten thousand in a single month. Its editor is a Scottish gentleman—Rintoul by name.

There is also the *Sunday Times*, a pleasant and inoffensive print. It goes chiefly into "families," and, therefore, pretends not to any particular political decision. This paper was founded by Mr D. W. Harvey, whose energetic writings advanced it to the large circulation of ten thousand copies per week. That gentleman then sold it for the sum of £7000 in money, and an annuity of £400 per annum, which he enjoys at the present time. Its circulation is good, but has much gone down. Mr Gaspy is the editor and partly the proprietor of the *Sunday Times*.

The *John Bull* is still edited by Mr Theodore Hook. This paper was established by the Government—the expenses having been paid by the Treasury for the first six weeks. Owing to the assistance of Mr Croker, and style of Mr Hook, further assistance was not required—the paper having been brought to be a valuable property in that unexampled short period of time. Owing to the change in the health of Mr Hook, the *John Bull* is now much less prosperous than in the early part of its career. This gentleman was seized with apoplexy at his house at Putney, and lay for a considerable time in a very debilitated state. Since that period, both in his political writing and in his literary productions, there has been a corresponding diminution in the vigour of his mind. Mr Hook has recently sold one of his remaining quarter-shares in the *John Bull* for the sum of £4000.

Into the lower regions of the press—the stews wherein dwell the *Age*, and the other children of the *John Bull*—at present at least we will not to go. The *True Sun*, the *Morning Advertiser*, and the *Examiner*—all honest men labouring in the good cause—we also reserve for the present. The reader is now furnished with some account of the principal men behind the scenes; nor, indeed, should honourable men object to be known in their vocation. It is imperiously required that some antagonist censorial power should exist, at a time when so many most cowardly advantages are taken against the characters of the most distinguished and honourable of our public men. If showers of javelins are to be met from a thousand unknown hands, what patriot will venture to the breach? But upon the open ground, and divested of their phantom appearance, there are individuals amongst the Cobbetts and O'Connells of this country, by whom a whole camp of such men might be fought. Would the public but attend to the all-important first principles of the political science, and think what dust upon the scale are the personalities of even the most elevated men amidst dissensions which involve the happiness or the misery of all the generations of the world—then would the filth-flinging occupation of such reptiles very speedily be gone. We can assure the public, that, with very, very few honourable exceptions, almost any public man may be subjected to the knives of the common stabbers of the press. "We speculate in newspapers," say the proprietors, "in order to make money. We cannot *afford* to be upon the wrong side."—"We are in the situation of barristers," say the editors; "we are employed to write, as they are to speak, and we follow the profession of literature, because we must live." This, with the exception of some whose talents are too elevated for the necessity of submitting to control, is generally the language of them all. And yet nothing can be more false than that between barristers and journalists the slightest comparison exists. The barrister, says Paley, is not guilty of a falsehood, because he is not *expected* to be uttering the truth. But the editors of newspapers speak only in their own persons, and hold out to the world that they would scorn to be influenced by hire. It is indeed no more justifiable to be a liar with the pen than with the tongue. Would any salary whatever hire an editor of a paper to go out at the command of his employers, and call Mr O'Connell "a beggarman" in the presence of his five sons? We, therefore, have determined to assist in the work of committing such characters as these, to the end that the virulence of the press may be estimated at its worth; and, in the language of Burke, that, in the midst of a multitude of swine, patriotism and genius no longer may be trodden under foot.

THE OLD YEAR.

Mammy A——. "'A made a finer end, and went away, an' it had been any christom child; 'a parted even just between twelve and one, e'en at turning o' the tide." *Lord L——.* "They say he cried out of Tories." *Mammy A——.* "Ay, that 'a did." *Duke of W——.* "And of Whigs." *Mammy A——.* "Nay, that 'a did not." *Sir R. P——.* "Yes, that 'a did; and said they were devils in *place*." *Mammy A——.* "'A could never abide *plaice*; 'twas a fish he never liked." *Sir R. P——.* "'A said once the devil would have him about Whigs." *Mammy A——.* "'A did in some sort, indeed, handle Whigs. But then he was a Radical; and talked of the wote by ballot."

New Readings of Old Authors.

The Old Year is dead, and the following we select from an evening paper (*in nubibus*) :— "Lately died, at his residence in Lower-Sphere Street, aged 52 weeks, Eighteen-Hundred and Thirty-Four, Esquire, commonly called *The Year of our Lord*. He was descended from a very ancient family—the Centuries; a branch of which came over to this country with the Conqueror. He had latterly been growing more *weekly*; and from the early part of the day in question, (Wednesday,) until ten of the ensuing night, appeared to be suffering from the usual pangs common to one of his advanced age. But no great change occurred until twelve o'clock, when evident symptoms of dissolution were visible; and at that moment, attempting to raise his hand to beckon to an attendant Minute, who had formerly been one of his Seconds, he expired." "It is whispered in the higher circles, that, in his last moments, he frequently mentioned the name of one 'Louis Philippe.' We cannot, however, vouch for the truth of this assertion, though we have it on undoubted authority to say, that, a few days previous to his decease, he transacted business at the Foreign Office, which fact seems to corroborate the former statement." The Gazette then proceeds to say, that "early on the following day, amidst the ringing of bells, his *sun* and *air* was publicly baptized at St Januarias's, Chronology Square, by Archdeacon Frost, who officiated for Dr Merryweather, who was prevented from attending by a cold. The Duke of Wellington and Sir R. Peel stood sponsors, in room of Earl Grey and Lord Brougham, who were also prevented from being present by indisposition. The Young Year, who, it is rumoured, is already highly gifted, is, we believe, a ward in Chancery." Then follows farther particulars of the decease, and an analysis of his character, which appears to have been written with great candour and impartiality. The writer, entering more into detail than his late biographer, Francis Moore, physician; who gives nothing but a few obscure extracts from his diary, which are very often imperfect, and sometimes unintelligible; and, in the end, winds up his narrative by merely stating, that, like Goldsmith's schoolmaster, he did over "terms and tides preside." For the amusement of our readers, we give the sketch entire:—In person he was generally allowed to be short, though some, on the contrary, assert he was very long. At any rate, it may inferred, he was of a middle stature. His complexion was fair, and his air, which was very light, approached what is sometimes called frosty; but, in general, his manners were very mild and agreeable. Unlike some of his predecessors, he was not a Splendid Annual, for no Waterloo massacres or Cloth-of-Gold meetings will be engraved on the tablets of his mausoleum. Neither was he a Religious Annual, though considerable pains were taken to make him one. But he laughed at such endeavours, and made a burlesque song about them, which we believe is still sung in the streets of London, to the tune of the "King of the Cannibal Islands." Nor was he a Literary Annual; for of his literary taste much cannot be said, though some wiseacres talk of the intelligence and shine of certain northern lights. If there did such exist, they must evidently have been, like many other of his phenomena, invisible without a telescope! Indeed, his suffering Sotheby and Coleridge to engage themselves as shorthand writers to Pluto's Evening Mail, and his transporting Sheridan Knowles beyond the seas, for only stealing a hint from the old poets, are facts not very creditable to his love of letters. Yet, notwithstanding this, he was not altogether a fool, insomuch as he took in "Crabbe's Poems" in Numbers, and gave a lift to Leigh Hunt's little London venture—was taken, too, with the pictures for the "Pilgrims of the Rhine," and really admired the cleverness of "Tylney Hall." Nay, some went so far as to say that he was seen cutting the leaves of the "Last Days of Pompeii," but that we think was beyond him, never having heard that he was much of a classic. One thing, however, to his advantage, must not be omitted—he discontinued that contemptible monotony, "The Doit Magazines." Nor yet, in addition to the above exceptions, could he be called a Sporting Annual, for though, in imitation of his betters, he kept an Eclipse or two, and, in the earlier part of his life, had to do with Spring, otherwise called Winter, he seldom took a very strong Epsom purge, or handled his fowling-piece, save occasionally, when he bagged an "Irish landlord." But then, if he did not hunt or race himself, not being, like some of his family, a leaper, he allowed, without molestation, others to follow their own gait; and, par consequence, livings, fees, patients, places, plums, dinners, names, and husbands, were as hotly pursued over hedge and ditch, by parsons, lawyers, doctors, courtiers, merchants, poets, patriots, and coquettes, under his regime, as ever they were in the times of his forefathers, though many, as experience has shewn, were flung out in the chase! And, lastly, neither was he that risible wild fool, which laughs from year to year—a Comic Annual. Notwith-

standing, it must be confessed, he had a turn that way, as the caricatures in the Burlington and Lowther "Arcades (ambo") witness.

"Then, if he was neither of all these, in God's name, what was he?" "Guess." "Humph! —An immoral year?" "Pretty!—but no, he was nearly as moral as his progenitors, and, for aught we know, more so. Try again, most accomplished Lector." "Then, I suppose, you mean to insinuate that he was a '*rara avis*'—in short, an Uncommon Annual?" "Not exactly—seeing, that in his reign, or *rain*, just as ever they did, the ordinary folk ate—drank—slept—loved—fought—and played at cards—and died; while their more versatile and refined prototypes, in their alternate moods of beseeching—affirming —bewailing—confessing—and threatening—rehearsed, with the usual *eclat*, their 'Fly-not-yetings'—their ''Pon my honour it's true'—their 'I have seen my bride another's'—their owning the 'soft impeachment'—and, in case of quarrel, their keeping their gentlemanly distances. And, over and above to the foregoing, Cat's-meat and 'Oysters, sir,' were vended in the streets, pretty much on the same system as in 1833. The usual bits of stock classicality,—'Arcades ambo'—'Rusticus expectat,' &c. &c., were sported at St Stephen's in town, and, *vice versa*, the ditto bits of stock patriotism—'A bold peasantry, &c.'—'The flag that's braved,' &c, &c., in the shire guilds in the country. Nor were the accouchements of mountains—the dissections of gad-flies—the breaking of butter synonyms on wheels—and the blowing of bladders, of less rare occurrence than they used to be. Not to mention that establishments were equally broken up and broken into—parsons tendered the resignation, not of their cures, but of their probity—and prices were set upon men's heads and their *tales*, and accepted—and upon kine, and refused. Moreover, many persons, like parliaments, without a cause, were per-rogued; many, like Higgins, and his double Glos'ter, toasted; and many clap-clawed one another in public, who, when in private, amicably smoked a pipe together, like Signior Nicolini and the Lion, in that old book the Spectator. In short, all the bother, blarney, and bletherumskite that was tolerated in 1833–2–1 was equally so in 1834, even to that last rag of superstition, which future ages will laugh in their sleeves at us for retaining, viz., corporations! And, in a word, most sapient, you must have another shy before you can bring down the popinjay."—"Pshaw!" —"Well, don't be savage, and you shall hear what he was."—"Pish! I don't desire to hear anything about such a hum-drum concern. For his

News and reviews, sir, I've read through and through, sir,
With little admiring or blaming;
His papers are barren of home news or foreign—
No murders or cheats worth the naming."

[*Exit in a huff.*

La! you now, how you fly out, (looking after him,) an insolent, prejudiced, low-minded—yet, for all he can say, the dear old Bissextile was a more respectable character, and a better Christian to boot, than three-tenths of his predecessors, with all their thunder-and-lightning tunics! Insomuch as he renounced many family enormities, such as bustles, burkings, swingings, mad dogs, &c. &c. Besides, he cut off as much as he could afford of the entail of cholera and riots, left him by his father, and was the cause, too, of the apprehension of that notorious cutpurse, "Robert the Devil," who nightly infested the metropolitan theatres. But for that old numskull to insinuate that he was deficient in gallantry—sheer envy, we assure you, Ma'am; for, to our certain knowledge, he was no tyro that way; always making allowances for the dampness of our island.

And, again, as to the other matter of murders, he was certainly very cautious, and, like his cousin Brougham, was afraid "of doing too much," and his hands, like those of that distinguished personage, would have "been clean"—at least, he would not have committed anything worth the naming, had it not been for some rascal reviewers, who plainly told him, he was a nincompoop, and a disgrace to his family—"he a year, indeed!" "Many of his name, before they had arrived at half his months, had extinguished, *secundum artem*," a "Weare," or a "Maria Martin." And they ended by threatening to erase his name from the archives of his line, if he did not, *instanter*, cut some one's throat, or send an ounce of blue plum into some one's pudding. At first, *Eighteen Hundred and Thirty-Four* only laughed at them. But, to "prevent misunderstanding," as Acres says, in the end he perpetrated the Pentonville concern, and added Earl Spencer, and the Duke of Gloucester, by "way of natural rider." And now a word about his politics:—Of his Whig sayings and Tory doings, much, as old Sir Roger would say, may be said on both sides, though the least said, perhaps, the better, insomuch as, neither the sayings of the former nor the doings of the latter, were always intelligible! And then, are they not written in the *Morning Chronicle*. Some of them, however, are worth noting down; more, though, as political anomalies, and, like Homer's catalogue of ships, to swell the history of our annuitant, than anything else. And as such, after the manner of Virgil's introduction of his "Glaucumque, Medontaque, Thersilochumque," without comment, and to excite laughter, we introduce them here. The following, unarranged, are a few of the most remarkable:—Earl Grey's last appearance in the character of Adam—"Must I then leave thee, Paradise!" the *sweeping* clause of the "Fain would I climb, boys;" the Bastard Law, or the Society for promoting Christian Depravity; the King's calling in the New Police to turn out the Melbourne administration; the Duke of Wellington making himself a "very young hero" at Oxford; ditto, his assumption of the dictatorship, and his "disfigurement," like Master Burke, of all the characters in the farce called "The Cabinet;" iterumque ditto, the rumour that he was about to commence business in the Reforming line, and

ditto, ditto, ditto, his subsequent denial of it in the following decree, which is said to have been placarded a few days ago at the Horse Guards:—

"HIS HIGHNESS'S MANIFESTO.

"We, whose names are hereunto annexed, do solemnly declare, that we do, in our consciences, believe Reform, of whatever character or denomination, whether of Church or State, to be highly prejudicial to the interests of the Aristocracy; and that we shall adjudge any man whatsoever to be an enemy to his Church and King, (*quasi* ourselves,) who endeavours, from this time, to forward the same either by word or deed.

"Furthermore, we are likewise ready to maintain, at the point of the bayonet, and at the hazard of our places and pensions, (things most dear to us!) that 'flogging in the army,' 'taxes on knowledge,' 'elective bribery,' (if Tory!) and the wholesome restraint now and then of the mob by the sword, are wise and salutary measures. And, in addition, we also affirm, that vice is excusable in a parson, (if he's not a curate,) and that any attempt to expose it is a sacrilegious attack on the church, as by law established. And, lastly, it is our firm resolution, as long as we live, to deny the 'existence of any distress in the kingdom;' moreover, that none did or ever could exist. And, in the spirit of this our declaration, we shall, upon all occasions, oppose any person or persons who may hereafter assemble to complain of the same, with sword, and bayonet, and cannon, if necessary.

(Signed) "WELLINGTON.
VICTORIA.
WATERLOO.
CIUDAD RODRIGO.
TORRES VEDRAS.
VIMIERA.
DOURO.
WARDEN OF THE CINQUE PORTS.
CONSTABLE OF THE TOWER."

Having said so much of the hero of our sketch, little now remains for us to say, save that, on the whole, he was a "Jolly Old Annus," who loved his glass, his song, and his Glasgow rubber; and, moreover, that he was "nae fae to wine and mutton," but often treated his friends in public, as Lords Grey and Durham can testify. To be sure, his denying the little sweeps the use of their loqual organs, was rather arbitrary, and his burning the two Houses of Parliament rather naughty. "But then he was rheumatic," and was latterly troubled with a "whoreson cold," caught by the tailors' strike, or, as some said, by his opening his mouth so often to cry "Hear, hear!" to the Whigs. Be that as it may, he is gone!—Therefore let his errors go with him. Others may revile his memory. We, at least, grateful for some happy hours he gave us, will not disturb his manes. No! in the spirit of departed genius,* "it shall never be said that *Eighteen Hundred and Thirty-Four* was in want of a good word, when we, his friend, had one to give him." So, Old Year—

Fare-thee-well! and if for ever—
Still for ever, fare-thee-well!

* Sheridan.

EGO!

"MOTHER," cries the young Marquis of Makeweight to his beautiful preceptress, the Duchess of Curtinsight, "What is an egotist? My tutor, Mr Prosem, says that Cobbett (the fellow about whom there is so much fuss in the papers) is a disgusting egotist. Did I ever see an egotist?"

"An egotist, my love," replies the Duchess, with a most Edgworthian air of maternal wisdom, "is a man who is always talking about himself. The late Lord Erskine, generally esteemed an able politician, completely lost himself in public life by this foible. It was always 'I—I—I' in his speeches. Egotism is a fault, as common as it is vulgar. I know hundreds of people who are always talking of themselves; but you may have observed, my dear, that the word *I* is almost banished *my* vocabulary. While other people in society bring it into conversation half a dozen times in a minute, *I* am studiously careful to avoid it, by the use of impersonal phrases—such as, 'It is said,' 'They say,' or 'There is reason to believe.' I have a horror of the very sound of 'I;' and invariably set down an egotist as an ill-bred person. Be careful, therefore, my dear Makeweight, by following *my* example, to avoid this odious imputation."

"I wont forget, mother—I certainly will not forget," replies the little Marquis. "I should be very sorry to be called an egotist. How dreadfully hot it is this morning! The thermometer stands at 88!"

"Dreadful, indeed. Even with my bonnet I could scarcely stand the sun on the Conservatory this morning! I was obliged to run through into the library for fear of a *coup de soleil*."

"What weather for the harvest people! It will throw them all into a fever!"

"They are used to it."

"Not to this excessive heat—it is so rare in England. And do you see in the papers what frightful accounts from Italy? That last eruption of Vesuvius appears to have done a great deal of mischief."

"Why do people buy estates in the neighbourhood of a volcano?"

"I suppose the estates descend to them like Curtinsight Castle to my father. You know, when you so often express your dislike to living in Lancashire, he tells you it is the fault of some ancestor of ours in the reign of Henry VIII. These poor Neapolitans were born on the mountain, and have become attached to the soil. After all, it requires some heroism to expose one's self to such a fearful risk. Think of being awakened out of your sleep by the roaring of a volcano

and finding a stream of burning lava pouring down upon your house!" ——

"Do we know any one at Naples just now?" inquires the Duchess, languidly. "Lady Emmeline was there last winter, and the Duke of Rawdon, and several of our friends. But they have been all returned this age. No one of any consideration remains at Naples at this season of the year. Everybody is *in villeggiatura*, or at the baths of Lucca or Albano, or somewhere or other. I am glad there is no person I care about on the spot."

"But the poor people" ——

"If the truth must be owned, I have little sympathy for what is called the people—*en masse*. I have just that sort of susceptibility, that, to be interested about a person, it is necessary I should know something about them, or have had something to do with them," drawled the Duchess, with equal disregard of grammar and consistency. "How is it possible to care for those whom one has never seen, and shall probably never see?"

And her Grace's noble disciple admired the *impersonal* phrase, without perceiving the chilly egotism it tended to disguise. "Pray, my love, go and dress!" was his mother's concluding admonition. "You have been poring over that newspaper these ten minutes, in your shooting-jacket; and it has struck seven."

"My clothes are not damp—you need not be afraid of my taking cold," was the reply of the Marquis, (accustomed to those officious attentions on the part of his mother, which, in certain English circles, betray a most dowagerly but very unwomanly degree of sympathy with the heir-apparent of the house, in preference to all its minor olive branches; and supposing her Grace's uneasiness to be caused by his own predicament!) "Burton brought me my slippers as I came through the vestibule."

"But you do not consider, that till Burton sees you in the drawing-room, he never orders the second dinner bell rung? and poor La Mollette's *entrées* are invariably cold in consequence! Yesterday the *purée aux marrons*, in which the cutlets were served, was just of the consistency of mortar, while the pheasant was roasted perfectly brown! You know I detest a *diner retardé*. You ought to be more considerate of the feelings of other people."

"Just one minute! I am looking over the advertisements for a specific for the toothache, which I think I saw announced the other day."

"The *toothache!* My dear love! you do not tell me that *your* teeth are going? I will write to Cartwright directly. There is no one of any consequence in town just now. I daresay he would come down for a day. The toothache!—at fourteen!—and *I* am nearly four-and-thirty, and have never so much as felt a pain in mine; except indeed once, when I caught cold waiting for the carriage at the Opera, that night the coachman ran over the drunken Irishman, and the people had the impudence to force the servants to Bow Street. And how long have you had this horrible toothache?"

"My dear mother, *I* have no toothache."

"I am sure you said so. You have almost induced me to fancy I felt something in mine! What made you talk about specifics?"

"Do you not remember telling my father at breakfast that Victorine had not been able to sit up for you last night, because she has not slept this week past from a violent toothache?"

"Oh!—Victorine!—tiresome creature!—Yes! she has thought proper to tie up her face, till she looks just like one of those frightful figures one sees peeping over the blinds of St George's Hospital, as one drives through the Park. They really ought not to have an hospital so near a public promenade: it is quite disgusting!"

"I suppose the air is purer for the invalids."

"Is that a reason why it should be contaminated, to make it intolerable for *us*?"

"Ah! here is the advertisement for the elixir."

"Well, write me where the medicine is sold, on a slip of paper; and tell Burton to send off one of the grooms for a bottle, *instantly!*"

"There!—did you see the lightning? What a tremendous storm is coming on! Had he not better wait?"

"Oh, dear, no! *They* will take care to send only one of the helpers, and on a horse of no particular value. I *must* have this elixir before night!"

"Does your pain increase, then?"

"*My* pain! Pray, my dear Makeweight, be more cautious what you say, or people will really fancy something is the matter with *my* teeth! Of course, I want this remedy for Ma'amselle Victorine."

"How kind of you! Poor Victorine! I will go directly. Lend me your Bramah pen. *Poor* Victorine!—she is such a good creature."

"She is a very stupid creature! What business had she to go and catch cold? It must have been carlessness, or pure perversity, at this season of the year! And now, unless I can manage to get her the elixir before night, I must again submit to the services of that odious Wingfield, who puts in a *papillote* with just as much fear and trembling as *I* should make up a Congreve rocket! I keep scolding her all the time; but to what purpose? It is so insupportable to have a person about one who is evidently frightened to death. I hope to goodness we shall be able to cure Victorine's *mal de dents*. I daresay it is half fancy!"

"She looks dreadfully ill. I met her in the gallery this morning; and when I asked her how she had rested, and whether she felt better, I assure you I could scarcely understand her answer; I never saw a face so swollen!"

"Five *I's* in five seconds! My dear love, you are growing as sad an egotist as Lord Erskine! Now, go and dress!—if you keep dinner waiting to-day, you are inexcusable. Pray, observe, by the way, that my wishes are expressed without a single use of your own horrible—Ego!"

TRAVELLING IN ENGLAND THIRTY YEARS AGO: FROM THE AUTOBIOGRAPHY OF AN ENGLISH OPIUM EATER.

Continued from our August Number.

THE revolution in the system of travelling, naturally suggested by my position in Birmingham, and in the whole apparatus, means, machinery, and dependencies of that system—a revolution begun, carried through, and perfected within the period of my own personal experience—merits a word or two of illustration in the most cursory memoirs that profess any attention at all to the shifting scenery of the age and the principles of motion at work, whether manifested in great effects or in little. And these particular effects, though little, when regarded in their separate details, are *not* little in their final amount. On the contrary, I have always maintained that in a representative government, where the great cities of the empire must naturally have the power, each in its proportion, of reacting upon the capital and the councils of the nation in so conspicuous a way, there is a result waiting on the final improvements of the arts of travelling, and of transmitting intelligence with velocity, such as cannot be properly appreciated in the absence of all historical experience. Conceive a state of communication between the centre and the extremities of a great people, kept up with a uniformity of reciprocation so exquisite as to imitate the flowing and ebbing of the sea, or the systole and diastole of the human heart; day and night, waking and sleeping, not succeeding to each other with more absolute certainty than the acts of the metropolis and the controlling notice of the provinces, whether in the way of support or of resistance. Action and reaction from every point of the compass being thus perfect and instantaneous, we should then first begin to understand, in a practical sense, what is meant by the unity of a political body, and we should approach to a more adequate appreciation of the powers which are latent in organization. For it must be considered that hitherto, under the most complex organization, and that which has best attained its purposes, the national will has never been able to express itself upon one in a thousand of the public acts, simply because the national voice was lost in the distance, and could not collect itself through the time and the space rapidly enough to connect itself immediately with the evanescent measure of the moment. But as the system of intercourse is gradually expanding, these bars of space and time are in the same degree contracting, until finally we may expect them altogether to vanish: and then the whole empire, in every part, will react upon the whole through the central forces, with the power, life, and effect of immediate conference amongst parties brought face to face. Then first will be seen a political system truly *organic*—*i. e.* in which each acts upon all, and all react upon each: and a new earth will arise from the indirect agency of this merely physical revolution.

The reader whose birth attaches him to this present generation, having known only Macadamized roads, cannot easily bring before his imagination the antique and almost aboriginal state of things which marked our travelling system down to the end of the eighteenth century, and nearly through the first decennium of the present. A very few lines will suffice for a few broad notices of our condition, in this respect, through the last two centuries. In the Parliament war (1642-6,) it is an interesting fact, but at the same time calculated to mislead the incautious reader, that many officers of distinction, on both sides, brought close carriages to head-quarters; and sometimes they went even upon the field of battle in these carriages—not mounting on horseback until the preparations were beginning for some important manœuvre, or for a general movement. The same thing had been done throughout the thirty years' war, both by the Bavarian, Imperial, and afterwards by the Swedish officers of rank. And it marks the great diffusion of these luxuries about this era, that, on occasion of the reinstalment of two princes of Mecklenburg, who had been violently dispossessed by Wallenstein, upwards of eighty coaches mustered at a short notice, partly from the territorial nobility, partly from the camp. Precisely, however, at military head-quarters, and on the route of an army, carriages of this description were an available and a most useful means of transport. Cumbrous and unwieldy they were, as we know by pictures, and they could not have been otherwise—they were built to meet the roads. Carriages of our present light and *reedy* [almost, one might say, *corky*] construction, would, on the roads of Germany or of England, in that age, have foundered within the first two hours. To our ancestors such carriages would have seemed playthings for children. Cumbrous as they were, they could not be more so than artillery or baggage waggons: where these could go, coaches could go. So that, in the march of an army, there was a perpetual guarantee to those who had coaches for the possibility of their transit. And hence, and not because the roads were at all better than they have been generally described in those days, we are to explain the fact—that both in the Royal camp, in Lord Manchester's, and afterwards in Lord Fairfax's and Cromwell's, coaches were an ordinary part of the camp equipage. The roads, meantime, were as they have been described, viz. ditches, morasses, and sometimes channels for the course of small rivers. Nor did they improve, except for short reaches, and under peculiar local advantages, throughout that century. Spite of the roads, however, public carriages began to pierce England, in various lines, from the era of 1660. Circumstantial notices of these may be found in Lord Auckland's large

work on the Poor-Laws. That to York, for example, (200 miles,) took a fortnight in the journey, or about 14 miles a-day. But Chamberlayne, who had a personal knowledge of these public carriages, says enough to shew that, if slow, they were cheap; half a crown being the usual rate for 15 miles, (*i. e.* 2d a mile.) Public conveyances, multiplying rapidly, could not but diffuse a general call for improved roads; improved both in dimensions as well as in the art of construction. For it is observable, that so early as Queen Elizabeth's days, England already presented to its inhabitants, the most equestrian of nations, a general system of decent bridle roads. Even at this day it is doubtful whether any man, taking all hinderances into account, and having laid no previous relays of horses, could much exceed the exploit of Cary, (afterwards Lord Monmouth,) a younger son of the first Lord Hunsden, a cousin of Queen Elizabeth. This cavalier, basely enough, considering his near connection with the Queen, had, like a true courtier, promised to bring the Scottish King certain intelligence of his accession to the English Crown; and, being a good horseman, he privately resolved to be the earliest, if his interest would not avail to make him the official bearer of the great intelligence. The Queen died on the last day (as it was then considered) of 1602, *i. e.* on the 24th of March, 1603. Cary, though lying under the general embargo and interdict of the Privy Council, contrived to slip out of the palace, through the favour of his brother, a great officer of the Royal Household. On the 1st day of 1603, that is, (as we should now call it,) on Lady-day, or March 25 of 1603, at 10 o'clock in the morning, he mounted at London, and, on the following day, notwithstanding all delays, and that he was very seriously retarded both by public business on the Border, (where he held a great command,) and having been thrown violently from his horse, he contrived to reach the Scottish capital by the King's bed-time. Altogether he was not more than thirty-three or thirty-four hours in traversing a road, at that time not at all short of 450 miles. This story we learn from Lord Monmouth's own memoirs. Yet we must not forget that the particular road concerned in this exploit was the Great North Road, (as it is still called by way of distinction,) lying through Doncaster and York, between the northern and southern capitals of the island. But roads less frequented were tolerable as bridle-roads; whilst all alike, having been originally laid down with no view to the broad and ample coaches, from 1570 to 1700, scratched the pannels on each side as they crept along. Even in the nineteenth century I have known a case, but of course in a sequestered district of England, where a post-chaise, of the common narrow dimensions, was obliged to retrace its route of fourteen miles, on coming to a bridge built in some remote age, when, as yet, post-chaises were neither known nor anticipated, and, unfortunately, too narrow by three or four inches. In all the provinces of England, when the soil was deep and adhesive, a worse evil beset the stately equipage. An Italian of rank, who has left a record of his perilous adventure, visited, or attempted to visit, Petworth, near London, (then a seat of the Percys, now of Lord Egremont,) about the year 1685. I forget how many times he was overturned within one particular stretch of five miles; but I remember that it was a subject of gratitude, (and, upon meditating a return by the same route, a subject of pleasing hope,) to dwell upon the soft lying which was to be found in that good-natured morass. Yet this was, doubtless, a pet road, (Vile punster! dream not that I glance at *Pet*worth,) and an improved road. Such as this, I have good reason to think, were most of the roads in England, unless upon the rocky strata which stretch northwards from Derbyshire to Cumberland and Northumberland. The public carriages were the first harbingers of a change for the better; as these grew and prospered, slender lines of improvement began to vein and streak the map. And Parliament began to shew their zeal, though not always a corresponding knowledge, by legislating backwards and forwards on the breadth of waggon wheel-tires, &c. But not until our cotton system began to put forth blossoms—not until our trade and our steam engines began to stimulate the coal-mines, which, in *their* turn, stimulated *them*, did any great energy apply itself to our roads. In my childhood, standing with one or two of my brothers and sisters at the front windows of my mother's carriage, I remember one unvarying set of images before us. The postillion (for so were all carriages then driven) was employed, not by fits and starts, but always and eternally, in *quartering*, i. e., in crossing from side to side, according to the casualties of the ground. Before you stretched a wintry length of lane, with ruts deep enough to fracture the leg of a horse, filled to the brim with standing pools of rain-water; and the collateral chambers of these ruts kept from becoming confluent by thin ridges, such as the Romans called *liræ*, to maintain the footing upon which *liræ*, so as not to swerve, (or, as the Romans would say, *delirare*,) was a trial of some skill both for the horses and their postillion. It was, indeed, next to impossible for any horse, on such a narrow crust of separation, not to grow *delirious* in the Roman metaphor; and the nervous anxiety which haunted me when a child, was much fed by this very image so often before my eye, and the sympathy with which I followed the motion of the docile creature's legs. Go to sleep at the beginning of a stage, and the last thing you saw was the line of wintry pools, the poor off-horse planting his steps with care, and the cautious postillion gently applying his spur, whilst manœuvring across his system of grooves with some sort of science that looked like a gipsy's palmistry; so equally unintelligible to me were his motions, in what he sought and in what he avoided.

Whilst reverting to these remembrances of my childhood, I may add, by way of illustration, and at the risk of gossiping, a brief notice

of my very first journey. I might be then seven years old. A young gentlemen, the son of a wealthy banker, had to return home for the Christmas holidays to a town in Lincolnshire, distant from the public school, where he was pursuing his education, about a hundred miles. This school was in the neighbourhood of G—nh—y, my father's house. There were at that time no coaches in that direction; now there are many every day. The young gentleman advertised for a person to share the expense of a post-chaise. By accident, or chiefly, I believe, out of compliment to the gentleness of my manners, and the depth of my affections, I had an invitation of some standing to the same town, where I happened to have a female relation of mature age, besides some youthful cousins. The two travellers elect soon heard of each other, and the arrangement was easily completed. It was my earliest migration from the paternal (or, as I ought *then* to call it, the maternal) roof; and the anxieties of pleasure, too tumultuous, with some slight sense of undefined fears, combined to agitate my childish feelings. I had a vague slight apprehension of my fellow-traveller, whom I had never seen, and whom my nursery-maid, when dressing me, had described in no very amiable colours. But a good deal more I thought of Sherwood Forest, which, as I had been told, we should cross after the night set in. At six o'clock I descended, and not, as usual, to the children's room, but, on this special morning of my life, to a room called the breakfast-room; where I found a blazing fire, candles lighted, and the whole breakfast equipage, as if for my mother, set out, to my astonishment, for no greater personage than myself. The scene being in England, and on a December morning, I need scarcely say that it rained; the rain beat violently against the windows, the wind raved; and an aged servant, who did the honours of the breakfast table, pressed me urgently and often to eat. I need not say that I had no appetite: the fulness of my heart, both from busy anticipation, and from the parting which was at hand, had made me incapable of any other thought, or feeling, or attention, but such as pointed to the coming journey. All circumstances in travelling, all scenes and situations of a representative and recurring character, are indescribably affecting, connected, as they have been, in so many myriads of minds, more especially in a land which is sending off for ever its flowers and blossoms to a clime so remote as that of India, with heart-rending separations, and with farewells never to be repeated. But amongst them all none cleaves to my own feelings so indelibly, from having repeatedly been concerned, either as witness, or as a principal party in its little drama, as the early breakfast, on a wintry morning, long before the darkness has given way, when the golden blaze of the hearth, and the bright glitter of candles, with female ministrations of gentleness more touching than on common occasions, all conspire to rekindle, as it were for a farewell gleam, the holy memorials of household affections. And many have, doubtless, had my feelings; for, I believe, few readers will ever forget the beautiful manner in which Mrs Inchbald has treated such a scene in the winding-up of the first part of her "Simple Story," and the power with which she has invested it. Thirty-nine, or possibly, I believe, even forty years have passed since that December morning in my own life to which I am now recurring, and yet, even to this moment, I recollect the audible throbbing of heart, the leap and rushing of blood, with which, during a deep lull of the wind, the aged attendant said, without hurry or agitation, but with something of a solemn tone, "That is the sound of wheels. I hear the chaise. Mr H—ll will be here directly." The road ran, for some distance, by a course pretty nearly equidistant from the house, so that the groaning of the wheels continued to catch the ear, as it swelled upon the wind, for some time without much alteration. At length a right-angled turn brought the road continually and rapidly nearer to the gates of the grounds, which had purposely been thrown open. At this point, however, a long career of raving arose; all other sounds were lost; and, for some time, I began to think we had been mistaken, when suddenly the loud trampling of horses feet, as they whirled up the sweep below the windows, followed by a peal long and loud upon the bell, announced, beyond question, the summons for my departure. The door being thrown open, steps were heard loud and fast; and, in the next moment, ushered by a servant, stalked forward, booted and fully equipped, my travelling companion—if such a word can at all express the relation between the arrogant young blood, just fresh from assuming the *toga virilis*, and a modest child of profound sensibilities, but shy and reserved beyond even English reserve. The aged servant, with apparently constrained civility, presented my mother's compliments to him, with a request that he would take breakfast. This he hastily and rather peremptorily declined. Me, however, he condescended to notice with an approving nod, slightly inquiring if I were the young gentleman who shared his post chaise. But, without allowing time for an answer, and striking his boot impatiently with a riding whip, he hoped I was ready. "Not until he has gone up to my mistress," replied my old protector, in a tone of some asperity. Thither I ascended. What counsels and directions I might happen to receive at the maternal toilet, naturally I have forgotten. The most memorable circumstance to me was, that I, who had never till that time, possessed the least or most contemptible coin, received, in a net-work purse, five glittering guineas, with instructions to put three immediately into Mr H——ll's hands, and the rest when he should call for them. The rest of my mother's counsels, if deep, were not long; she, who had always something of a Roman firmness, shed more milk of roses, I believe, upon my cheeks than tears; and why not? What should there be to her corresponding to an ignorant child's sense of

pathos, in a little journey of about a hundred miles? Outside her door, however, there awaited me some silly creatures, women of course, old and young, from the nursery and the kitchen, who gave and who received those fervent kisses, which wait only upon love without awe and without disguise. Heavens! what rosaries might be strung for the memory of sweet female kisses, given without check or art, before one is of an age to value them! And again, how sweet is the touch of female hands as they array one for a journey! If anything needs fastening, whether by pinning, tying, or any other contrivance, how perfect is one's confidence in female skill; as if by mere virtue of her sex and feminine instinct, a woman could not possibly fail to know the best and readiest way of adjusting every case that could arise in dress. Mine was hastily completed amongst them; each had a pin to draw from her bosom, in order to put something to rights about my throat or hands; and a chorus of "God bless hims" was arising, when, from below, young Mephistopheles murmured an impatient groan, and perhaps the horses snorted. I found myself lifted into the chaise: counsels about the night and the cold, flowing in upon me, to which Mephistopheles listened with derision or astonishment. I and he had each our separate corner; and, except to request that I would draw up one of the glasses, I do not think he condescended to address one word to me until dusk, when we found ourselves rattling into Chesterfield, having barely accomplished four stages, or forty or forty-two miles, in about nine hours. This, except on the Bath or great north roads, may be taken as a standard amount of performance, in 1794, (the year I am recording,) and even ten years later. In these present hurrying and tumultuous days, whether time is really of more value, I cannot say; but all people on the establishment of inns, are required to suppose it of the most awful value. Nowadays, no sooner have the horses stopped at the gateway of a posting house, than a summons is passed down to the stables; and in less than one minute, upon a great road, the horses next in rotation, always ready harnessed, when expecting to come on duty, are heard trotting down the yard. "Putting to," and transferring the luggage, (supposing your conveyance a common post chaise,) once a work of at least twenty minutes, is now easily accomplished in three. And scarcely have you paid the ex-postillion before his successor has mounted; the ostler is standing ready with the steps in his hands, to receive his invariable sixpence; the door is closed; the representative waiter bows his acknowledgment for the house, and you are off at a pace never less than ten miles an hour; the total detention at each stage not averaging above four minutes. Then (*i. e.* at the latter end of the eighteenth and beginning of the nineteenth century,) half an hour was the minimum of time spent at each change of horses. Your arrival produced a great bustle of unloading and unharnessing; as a matter of course you alighted and went into the inn; if you sallied out to report progress, after waiting twenty minutes, no signs appeared of any stir about the stables. The most choleric person could not much expedite preparations, which loitered not so much from any indolence in the attendants as from faulty arrangements and total defect of foresight. The pace was such as the roads of that day allowed; never so much as six miles an hour, except upon a very great road; and then only by extra payment to the driver. Yet even under this comparatively miserable system, how superior was England, as a land for the traveller, to all the rest of the world, Sweden only excepted. Bad as were the roads, and defective as were all the arrangements, still you had these advantages; no town so insignificant, no posting-house so solitary, but that at all seasons, except a contested election, it could furnish horses without delay, and without license to distress the neighbouring farmers. On the worst road, and on a winter's day, with no more than a single pair of horses, you generally made out sixty miles; even if it were necessary to travel through the night, you could continue to make way, although more slowly; and finally, if you were of a temper to brook delay, and did not exact from all persons the haste or energy of Hotspurs, the whole system in those days was full of respectability and luxurious ease, and well fitted to renew the image of the home you had left, if not in its elegancies yet in all its substantial comforts. What cozy old parlours in those days! low-roofed, glowing with ample fires, and fenced from the blasts of doors by screens, whose foldings were, or seemed to be, infinite! What motherly landladies! won, how readily, to kindness the most lavish, by the mere attractions of simplicity and youthful innocence, and finding so much interest in the bare circumstance of being a traveller at a childish age! Then what blooming young handmaidens, how different from the knowing and worldly demireps of modern high roads! And sometimes grey-headed faithful waiters, how sincere and how attentive, by comparison with their flippant successors, the eternal "Coming, sir," "Coming, sir," of our improved generation.

Such an honest, old butler-looking servant waited on us during dinner at Chesterfield, carving for me, and urging me to eat. Even Mephistopheles found his pride relax under the influence of wine; and when loosened from this restraint, his kindness was not deficient. To me he shewed it in pressing wine upon me, without stint or measure. The elegancies which he had observed in such part of my mother's establishment, as could be supposed to meet his eye on so hasty a visit, had impressed him perhaps favourably towards myself: and could I have a little altered my age, or dismissed my excessive reserve, I doubt not that he would have admitted me, in default of a more suitable comrade, to his entire confidence for the rest of the road. Dinner finished, and myself at least, for the first time in my childish life, somewhat perhaps over-

charged with wine, the bill was called for—the waiter paid in the lavish style of antique England—and we heard our chaise drawing up under the gateway—the invariable custom of those days, by which you were spared the trouble of going into the street, stepping from the hall of the inn, right into your carriage. I had been kept back for a minute or so by the landlady, and her attendant nymphs, to be dressed and kissed; and, on seating myself in the chaise which was well lighted with lamps, I found my lordly young principal in conversation with the landlord, first upon the price of oats, which youthful horsemen always affect to inquire after with interest, but secondly, upon a topic more immediately at his heart—viz., the reputation of the road. At that time of day, when gold had not yet disappeared from the circulation, no traveller carried any other sort of money about him; and there was consequently a rich encouragement to highwaymen, which vanished almost entirely with Mr Pitt's act of 1797, for restricting cash payments. Property which could be identified and traced, was a perilous sort of plunder; and from that time the free-trade of the road almost perished as a regular occupation. At this period it did certainly maintain a languishing existence; here and there it might have a casual run of success: and, as these local ebbs and flows were continually shifting, perhaps, after all, the trade might lie amongst a small number of hands. Universally, however, the landlords shewed some shrewdness, or even sagacity, in qualifying according to the circumstances of the inquirer, the sort of credit which they allowed to the exaggerated ill-fame of the roads. Returning on this very road, some months after, with a timid female relation, who put her questions with undisguised and distressing alarm, the very same people, one and all, assured her that the danger was next to nothing. Not so at present: rightly presuming that a haughty cavalier of eighteen, flushed with wine and youthful blood, would listen with disgust to a picture too amiable and pacific of the roads before him, Mr Spread-Eagle replied with the air of one who feared more than he altogether liked to tell, and looking suspiciously amongst the strange faces lit up by the light of the carriage lamps—"Why, Sir, there have been ugly stories afloat; I cannot deny it: and sometimes, you know, Sir," winking sagaciously, to which a knowing nod of assent was returned, "it may not be quite safe to tell all one knows. But you can understand me. The forest, you are well aware, Sir, is the forest: it never was much to be trusted, by all accounts, in my father's time, and I suppose will not be better in mine. But you must keep a sharp look out: and, Tom," speaking to the postilion, "mind, when you pass the third gate, to go pretty smartly by the thicket." Tom replied in a tone of importance to this professional appeal. General valedictions were exchanged, the landlord bowed, and we moved off for the forest. Mephistopheles had his travelling case of pistols: these he began now to examine; for sometimes, said he, I have known such a trick as drawing the charge whilst one happened to be taking a glass of wine. Wine had unlocked his heart—the prospect of the forest and the advancing night excited him—and even of such a child as myself, he was now disposed to make a confidant. "Did you observe," said he, "that ill-looking fellow, as big as a camel, who stood on the landlord's left hand?" Was it the man, I asked timidly, who seemed by his dress to be a farmer? "Farmer, you call him? Ah! my young friend, that shews your little knowledge of the world. He is a scoundrel, the bloodiest of scoundrels. And so I trust to convince him before many hours are gone over our heads." Whilst saying this, he employed himself in priming his pistols: then, after a pause, he went on thus:—"No, my young friend, this alone shews his base purposes—his calling himself a farmer. Farmer, he is not, but a desperate highwayman, of which I have full proof. I watched his malicious glances, whilst the landlord was talking; and I could swear to his traitorous intentions." So speaking, he threw anxious glances on each side as we continued to advance: we were both somewhat excited; he by the spirit of adventure, I by sympathy with him—and both by wine. The wine, however, soon applied a remedy to its own delusions: three miles from the town we had left, both of us were in a bad condition for resisting highwaymen with effect—we were fast asleep. Suddenly a most abrupt halt awoke us—Mephistopheles felt for his pistols—the door flew open, and the lights of the assembled group announced to us that we had reached Mansfield. That night we went on to Newark, at which place about forty miles of our journey remained. This distance we performed, of course, on the following day, between breakfast and dinner. But it serves strikingly to illustrate the state of roads in England, whenever your affairs led you into districts a little retired from the capital routes of the public travelling—that, for one twenty-mile stage, viz. from Newark to Sleaford, they refused to take us forward with less than four horses. This was neither a fraud, as our eyes soon convinced us, (for even four horses could scarcely extricate the chaise from the deep sloughs which occasionally seamed the road for tracts of two or three miles in succession,) nor was it an accident of the weather. In all seasons the same demand was enforced, as my female protectress found in conducting me back at a fine season of the year, and had always found in traversing the same route. The England of that date (1794) exhibited many similar cases. At present there is but one stage in all England, where a traveller, without regard to weight, is called upon to take four horses; and that is at Ambleside, in going by the direct road to Carlisle. The first stage to Patterdale lies over the mountain of Kirkstone, and the ascent is not only toilsome, (continuing for above three miles, with occasional intermissions,) but at times is carried over summits too steep for a road by all the rules of engineering, and yet too little

frequented to offer any means of repaying the cost of smoothing the difficulties.

It was not until after the year 1815 that the main improvement took place in the English travelling system, so far as regarded speed. It is, in reality, to Mr M'Adam that we owe it. All the roads in England, within a few years, were remodelled, and upon principles of Roman science. From mere beds of torrents, and systems of ruts, they were raised universally to the condition and appearance of gravel walks in private parks or shrubberies. The average rate of velocity was, in consequence, exactly doubled—ten miles an hour being now generally accomplished, instead of five. And at the moment when all further improvement upon this system had become hopeless, a new prospect was suddenly opened to us by railroads; which again, considering how much they have already exceeded the *maximum* of possibility, as laid down by all engineers during the progress of the Manchester and Liverpool line, may soon give way to new modes of locomotion still more astonishing to our preconceptions.

One point of refinement as regards the comfort of travellers remains to be mentioned, in which the improvement began a good deal earlier, perhaps by ten years, than in the construction of the roads. Luxurious as was the system of English travelling at all periods, after the general establishment of post-chaises, it must be granted that, in the circumstance of cleanliness, there was far from being that attention, or that provision for the traveller's comfort, which might have been anticipated from the general habits of the country. I, at all periods of my life, a great traveller, was witness to the first steps and the whole struggle of this revolution. Maréchal Saxe professed always to look under his bed, applying his caution chiefly to the attempts of robbers. Now, if at the greatest inns of England you had, in the days I speak of, adopted this Maréchal's policy of reconnoitring, what would you have seen? Beyond a doubt you would have seen what, upon all principles of seniority, was entitled to your veneration, viz., a dense accumulation of dust far older than yourself. A foreign author made some experiments upon the deposition of dust, and the rate of its accumulation, in a room left wholly undisturbed. If I recollect, a century would produce a stratum about half an inch in depth. Upon this principle, I conjecture that much dust which I have seen in inns, during the first four or five years of the present century, must have belonged to the reign of George II. It was, however, upon travellers by coaches that the full oppression of the old vicious system operated. The elder Scaliger mentions, as a characteristic of the English in his day, a horror of ablution in cold water. Nowhere could he and his foreign companions obtain the luxury of cold water for washing their hands, either before or after dinner. One day he and his party dined with the Lord Chancellor; and now, thought he, for very shame they will allow us some means of purification. Not at all: the Chancellor viewed this outlandish novelty with the same jealousy as others. However, on the earnest petition of Scaliger, he made an order that a bason or other vessel of cold water should be produced. His household bowed to this judgment, and a slop bason was cautiously introduced. "What!" said Scaliger, "only one, and we so many?" Even that one contained but a tea-cup full of water; but the great scholar soon found that he must be thankful for what he had got. It had cost the whole strength of the English Chancery to produce that single cup of water; and for that day, no man in his senses could look for a second. Pretty much the same struggle, and for the same cheap reform, commenced about the year 1805-6. Post-chaise travellers could, of course, have what they liked, and generally they asked for a bedroom. It is of coach travellers I speak. And the particular innovation in question commenced, as was natural, with the mail-coach, which, from the much higher scale of its fares, commanded a much more select class of company. I was a party to the very earliest attempts at breaking ground in this alarming revolution. Well do I remember the astonishment of some waiters, the indignation of others, the sympathetic uproars which spread to the bar, to the kitchen, and even to the stables, at the first opening of our extravagant demands. Sometimes even the landlady thought the case worthy of her interference, and came forward to remonstrate with us upon our unheard-of conduct. But gradually we made way. Like Scaliger, at first we got but one bason amongst us, and that one was brought into the breakfast-room; but scarcely had two years revolved before we began to see four, and all appurtenances, arranged duly in correspondence to the number of inside passengers by the mail: and, as outside travelling was continually gaining ground amongst the wealthier classes, more comprehensive arrangements were often made; though, even to this day, so much influence survives, from the original aristocratic principle upon which public carriages were constructed, that, on the mail-coaches there still prevails the most scandalous inattention to the comfort, and even to the security, of the outside passengers; a slippery glazed roof frequently makes the sitting a matter of effort and anxiety, whilst the little iron side-rail of four inches in height serves no one purpose but that of bruising the thigh. Concurrently with these reforms in the system of personal cleanliness, others were silently making way through all departments of the household economy. Dust, from the reign of George II., became scarcer; gradually it came to bear an antiquarian value: basons and *vases de nuit* lost their grim appearance, and looked as clean as in gentlemen's houses. And at length the whole system was so thoroughly ventilated and purified, that all good inns, nay, generally speaking, even second-rate inns, at this day, reflect the best features, as to cleanliness and neatness, of well-managed private establishments.

TYPOGRAPHY.

So many fine things have been printed of late about the wonders of printing, that it is very well the types do not understand what they are made to say about themselves, or they would perhaps stammer in the utterance of their self-commendation, and, betwixt vanity and modesty, wriggle themselves into *pie*. Only conceive what would be the consequence if every letter in a whole fount were suddenly endued with life, and intelligence, and knowledge of its own power! Why little Ruby, and less Pearl, and least Diamond, would not condescend to acknowledge their namesakes in the regal diadem! Minion would grow great in his own opinion, as little folks generally are. Primer would be *primer*, and more pragmatical than the mistress of an infant school; and as for Pica, how it would chatter, to find itself more oracular than the doves of Dodona—wiser than the speaking bird of the Arabian Tales—stronger than the rock—more influential than the Simong, which conferreth sovereignty on whomsoever its shadow passeth over—and in power and spirit more enduring, and perpetually revivescent, than the Phœnix, the secular bird of ages!

Ah! if these little pieces of metal knew their own importance, they would never submit to the vile drudgery they are too often put to. I am afraid, too, there would be divisions among themselves; the small letters would combine against the Capitals, and the operative consonants rise up and expel the aristocracy of vowels, as was actually the case with regard to the Hebrew alphabet. It would be worse than Lucian's lawsuit of the letters.

Well, then, it is, that these great instructors of mankind know as little of what they are talking about, as a musical snuff-box of the tune that it plays—as a cold beauty of the madness she occasions—as the Apollo Belvidere could do of the passion of the poor crazy Provençal girl, who died for love of the insensate statue,—as the reflection of Narcissus in the cool stream, of the impracticable longing wherewith the self-enamoured substance pined away to a shadow.

Little can they know—little can any human being, but a young author, apprehend of the strange, the troublesome delight, wherewith a maiden poet gazes on his first printed sonnet! How can their heartless metallic bodies—(the exact elements of which I know not—only suppose that lead and brass enter largely into the composition, as into that of most great speakers)—how can they, or any one of their number, from A to Z, feel anything of such a matter? Did you ever see a Sonnet in manuscript? By Jove, it is ugly even in its author's eyes! Such pot-hooks and hangers! The very word Love (sure to occur thrice at least) looking most unlovely. "Sonnet to Maria." Why, poor Maria looks as if she was broken on the wheel, or as if her admirer had a "wee drap in his ee" when he sat down to celebrate her charms. But suppose the same Sonnet printed, on hot-pressed paper, smoother than ought but her cheek—in Miller's or Wilson's types, and on sweet lady-like *Pearl*—that is to the eye what Love's softest whisper is to the ear! By the way, amatory poetry should never be printed in a great masculine bully of a type, like the name of a third-rate London star in the play-bill of a fourth-rate provincial theatre, attended with a body-guard of notes of admiration, as stiff and no-meaning as the scene-shifters and porters who are to usher him on the stage, for this night only! No—look how these typefounders, in their beautiful Books of Specimens, have typified some of the sweetest of Moore's Melodies, distinct and clear as Kean's *asides*, which were heard in the one shilling gallery of old Drury, and yet seemed as if they were not meant to be heard at all—"the visible utterance of unconscious thought."

Most assuredly, there is a physiognomy in everything. Even as the old physician fancied that every herb of the field and every tree of the forest was divinely impressed with its own peculiar signature, revealing to what member its medicinal virtues were applicable—so is every other work of nature and of intellect; (and what is intellect but the essential spirits of nature sublimed to consciousness?)—so, too, is every hourly and momentary issue of habit, and of what men call chance, inscribed with a character—a type—which all may not be capable of reading, but which to those who can read it, conveys most certain intelligence. A man's expression, for instance, is not to be found solely, as Mr Shandy would have it, in his nose; nor, as Gall and Spurzheim maintain, in the prominences and declivities of his cranium; nor, as Lavater, with greater approximation to truth, has assumed, in his facial angle;—there is a meaning in all these things; so is there in his voice, his gait—the hanging of his coat-laps—his hat (especially, if he be a poor poet)—his hand-writing (if he can write, and has not been instructed by a fashionable caligraphist)—in his laugh, his cough, his manner of taking snuff or smoking a pipe—wiping his spectacles, if he uses them—and, in fact, in everything he does. Take me quietly to a man's bedside when he is asleep, and I will form a good diagrosis of his character by his snore. Now, since all other things, and man himself, have their appropriate signatures, would it not be inconsistent, if a printed book, which, after all, is the only express image of himself that a man can leave behind him, should be utterly without physiognomy? And yet such is the case with a book printed in a *dull, muddy, everyday-looking type*, which has either no expression, or an expression which grossly belies the author, unless the author happens to be a blockhead.

But any person looking over the Books of Spe-

cimens above mentioned, may select a type exactly suitable to the matters he has to communicate. There is the full, sonorous Small Pica for sermons—a size neither obtrusively large nor bashfully diminutive, for history, essays, novels, and epic poetry; the most delicate Italics for sly hints and inuendos; and all shades of love type, from the firm language of hope, to the smallest sigh of despair. I should not forget that in the *selections* great taste has been exercised to accommodate every author with the type best suited to his style; and the arrangement, on the whole, is good; though some people whom they may have to care for—though I do not—might purse up their mouths to find Don Juan and Tom Moore flanked on each side by a chapter of the Bible.

C.

THE GOOD OLD TIMES.

THE bright Old Times are gone, all gone!
The blessed and happy Old Times—
When our spirits could dance, in a prophet trance,
With the dwellers of starry climes;
When Fancy could find, in her midsummer wander—
Wherever her ladyship chose to meander—
A host of beings as airy as dreams,
Flitting by moonlight in woods and streams.
Oh! plague on the light of Feelosophy's day,
That scared the bright visions away, away!

The dear old days are gone, all gone!—
The dear old days of Goodfellow;—
When merry St. Puck, the fantastical buck,
Gave joy to the sage and mellow;
When the glance of the milkmaid at ev'n would greet
The green little elves with their twinkling feet;
While Mab, from her grasshopper steed in the sky,
Gleefully gazed on the company.
Why, Time, hast thou taken the fleetfooted fay,
With his eventide music, away, away?

The dreamy old days are gone, all gone!—
The world's dreamy hour of childhood;—
When the witch wove her spell, in the sunless dell,
And around the green boughs of the wild wood;
When the stars were but gems in the vaulted sky,
And the moon and her dweller a mystery;
And, beautiful rainbow! thou wast a proud arch,
Where the latest departed to glory might march.
The dreams were ennobling: why, Truth, did thy ray—
Chase the time-honoured visions away, away?

The gallant Old Times are gone, all gone!—
Times gifted with holier feeling;—
When the prophet-bard flung o'er the chords he had strung,
The light of his spirit's revealing;
The simple Old Times, when the green laurel leaf,
Was glory's reward to the minstrel and chief,
And lured to honour, hearts gallanter far,
Than e'er throbbed under the diamond star.
But chivalry's melted, like stars from the day,
And the minstrel and knight are away, away!

The merry Old Times are gone, all gone!—
The days of poor grandpapa's notions;—
Why the world's turn'd wise, and we've broke the old skies,
And they say we're to bridge the old oceans,
And to climb the wild path of the thunder, and sweep,
Out-stemming the eagle, the night heaven's deep.
Now, we stand on the land-mark of ages, and cast
A farewell on the winds to the shades of the past.
Fare ye well! fare ye well! and God speed ye away,
To Limbo, your dwelling, for ever and aye.

P.

THE FISHER.

From the German of Goethe.

THE waters swell—the waters roll,
The Fisher sat beside:
With tranquil heart, and feelings cool,
His angle-rod he eyed:
And as he sits and watches there,
The rising wave divides;
And from the heaving wave, lo! where
A humid maiden glides!

She sang to him, she spake to him:—
"My brood why lurest thou,
With human wit, for human whim,
Up to this deadly glow?
Ah! knew'st thou how the fishes live,
At the bottom so merrily,
Thou wouldst this moment downward dive,
And so wouldst healthful be.

The blessed sun, doth he not lave—
The moon too—in the main,
And rise, fresh-breathing of the wave,
With face as fair again?
Allures thee not the sky so clear,
The deep and humid blue;
Nor thine own face—to venture here
Amid eternal dew?

The waters swell—the waters roll,
And wet his feet the while;
Upon his heart a languor stole,
As at his true love's smile.
She spake to him—she sang to him—
And quickly all was o'er:
Half drew she him—half sank he in—
And never was seen more.

T. J. A.

THE KING IN THULE.

From the German of Goethe.

(Sung by Margaret in the tragedy of Faust.)

THERE was a King in Thule,
To whom, when near her grave,
The maid he had loved so truly,
A golden beaker gave.

He had no greater treasure;
He cleared it every bout:
His eyes o'erswam with pleasure,
Whene'er he drank thereout.

And when that he was dying,
He told his cities up—
None to his heir denying;—
But not so with the cup.

He sat by knights surrounded
At the kingly festival,
Where rose, by ocean bounded,
His high paternal hall.

The old toper, ere he parted,
Drank a last draught of life's glow;
Then his hallow'd cup he darted
Into the flood below.

He saw the splashing beaker
Sink deep into the main;
His eyes grew weak and weaker;—
He ne'er drank drop again.

T. J. A.

EXPOSURE OF THE SPY SYSTEM.

RICHMOND THE SPY *versus* TAIT'S MAGAZINE.

FULL REPORT, taken down in Short Hand, of the TRIAL in the Court of Exchequer, on the 19th December 1834—RICHMOND v. MARSHALL & MILES, the London Agents for TAIT'S EDINBURGH MAGAZINE.—Damages claimed, £5,000.

THIS case was tried before *Mr Baron Parke*, in the Court of Exchequer, Guildhall, London.

Counsel for the Plaintiff, *Mr Steer*, (who merely assisted Richmond with legal advice, Richmond pleading his case himself.) Agent, *Mr Thomas Browne*, Attorney.

Counsel for the Defendants, *Mr Serjeant Talfourd* and *Mr Platt*. Agents, *Messrs Birkett & Son*, Attorneys, 3, Cloak Lane, Cheapside.

The plaintiff had struck a special jury; but only the following gentlemen answered to their names, viz.

Richard March, Esq.
William Soltan, Esq.
Thomas England, Esq.
Thomas Mildred, Esq.
Cornelius Leary, Esq.
Valentine Morris, Esq., and
George Birnie, Esq.

A *Talus* having been prayed by the plaintiff, the following gentlemen, belonging to the common jury list, were added, in order to make up a complete jury for the trial of the cause, viz.

William Light,
Thomas Frederick Adams,
John George,
Thomas Rawlinson, and
Robert Mollett.

The jury having been sworn, *Richmond* (who was assisted by *Mr Steer*, as counsel.) proceeded. My Lord and Gentlemen of the Jury, before proceeding with the opening of this case, I consider it an imperative duty to myself, to assign the reason for deviating from the usual course of practice, in appearing in person in this Court. It is not out of any disrespect to the gentlemen of the Bar; but because this is one of those complicated cases, which, to be fairly sifted to the bottom, would add greatly to the ordinary labours of the learned gentlemen; while the great amount of expense, and the length of time necessary to fully investigate it, would make it extremely difficult for any one of them to do it at all. The case is rendered still more formidable, from the nature of the libels charged in the action. And I am anxious to place myself in the situation of a witness, against whom insinuations have been thrown out; so that the Jury and the Judge may, as it were, have an opportunity of taking that witness' evidence *viva voce*. I feel it to be one of those cases where such conduct is necessary; and standing here, as I do, in the defence of my own conduct in a difficult time, I consider it an imperative duty to conduct the case myself; so that both the jury and the judge may have an opportunity of seeing my manner, and also that, as I know best my own motives, I can best lay them before you. I do not know that it is necessary for me to say more on this occasion. I trust, that the gentlemen of the bar will do me the justice to believe, that it is certainly anything but out of disrespect to them that I appear here.

Though I have had considerable experience of the courts, yet, appearing now in such a cause, that experience is of little use to me. Therefore, I throw myself upon the court; and trust that the gentlemen opposed to me will not think it proper to treat me with disrespect, because of appearing in person. I will, at least, conduct the cause in such a manner, as not to deserve it.

The action, my Lord, and Gentlemen, is brought at the instance of Alexander Baillie Richmond, as plaintiff, against Messrs Marshall & Miles, defendants, for libels published and sold by these parties in a work purporting to be "*Tait's Edinburgh Magazine*," printed in Edinburgh, for which they were the London agents. The defendants, in this case, have, in the first place, pleaded *the general issue*; and, secondly, a *justification* of the whole of the libels.

At the present moment, I shall not propose to go farther into the pleadings, as it will be necessary for me to go over the libels *seriatim*; and I shall have an opportunity of calling your attention to the state of the law on libel, and shew also the state of the pleadings on the justification.

I confess, my Lord, and Gentlemen, I am at a considerable loss, from the great peculiarities connected with the case, to know how I should proceed; because I have a strong desire to go into very minute circumstances. I should also like to produce an immense mass of documentary evidence; but it might not meet with the approbation of the court and jury: for a great deal of it would be found to be surplusage. If, therefore, I am led, in going over the facts of the case, into more minute detail than might appear necessary, I throw myself upon your indulgence.

It will be necessary for me to take a retrospect of twenty-five years, in stating the case. My object in so doing, is, for the purpose of shewing generally the position in which I was placed in society, at the period to which the libels allude. The scene of the action occurred in Lanarkshire, in Scotland. You, gentlemen, are well informed enough to know, that that is the largest manufacturing county in that country—the very focus of the cotton manufacture. It is only necessary for me to call your attention to the state of that manufacture, for the purpose of shewing the general depressed state of the population which led to the events that have caused the present action.

So far back as the year 1800, several attempts were made by a part of the manufacturers and workmen, with a view to stop the depression of the price of labour. Subsequent to, and between that and 1809, several attempts were made before parliament; the result of which was, that two committees were appointed, the last in 1809, the points raised before which were the regulations in force as to the admission of apprentices; and (the chief one) the necessity of a certain price for labour. The older law, running over a period of three or four centuries, had not been put in execution, except upon a limited scale. It was not at that time in operation. On the failure of the attempt at the close of 1809, Mr Samuel Whitbread, and other enlightened and eminent members of parliament, recommended the artisans to form an association among themselves, to regulate the price of labour. The advice was taken; and the association commenced in 1809, and went on until the winter of 1811 and 1812. Every gentleman connected at all with manufactures or trade will remember that 1810 was a very bad year; and that, in consequence the working population were worse off than ever. Another application to parliament was made by Scotland, in conjunction with Lancashire and the North of Ireland, another committee was granted, but nothing was done. A question then started itself rather curiously:

whether the old acts of parliament should not be tried, on the failure of all the applications to parliament, and enforce something like reasonable wages; the main object being to establish the principle of a fixed table of prices. The old laws were still in existence in Scotland: for they had never been repealed by the Scotch parliament, nor by the British parliament since the Union; and the Spital-fields act still remained in force in England. The result of all was a determination to form, in Scotland and Cumberland, associations, in order to try, before the local courts, the question. A case was therefore raised in Scotland, before the Sheriff; and, in Cumberland, before the justices; but both these local courts decided that they had no jurisdiction, and refused to entertain the cases. An appeal from that was carried to the Supreme Court; which referred the case back to the sheriff, with directions to take proof in the matter. Much difficulty was, however, felt, as there was no such instance on the records of the country. The result was, that, after an inquiry before the court, the justices concluded it by finding the prayer of the applicants reasonable. Then it was, when Mr Francis Jeffrey became mixed up in our affairs. I call your attention, gentlemen, to these facts, at such length, because a very material part of my case rests upon the results that followed them. The reason I do so, is, because, after the application of 1809, I became one of the principal of the weavers' agents. After that, I became one of a committtee of five, who were deputed to conduct the proceedings before the court, and, if possible, to carry it through. On the sentence of the court being pronounced against our claim, and after the most mature deliberation, we considered the only way to force a compromise, or carry the principle itself into effect, was a combination of all classes; because, I should again remind you, this matter was not carried on by the labourers only; but they were joined by a considerable number of the manufacturers. The result of all was, it was agreed to try what effect a general strike would do for the cause; and, in fact, a general strike took place. The whole kingdom struck at once. The association had been perfectly effected. At that period, it followed as a necessary consequence, that all should be done after the most perfect deliberation, in order to afford the only chance of keeping in good humour the immense number of men who were totally destitute of employment and resources, from the bad state of trade and the redundancy of machinery. I have called your attention, gentlemen, particularly to that case; because I am anxious that you should not confound it, in your minds, with the trades' unions you have seen of late. The strike was conducted by a set of official men; it was the result of a judicial inquiry; and therefore it stands alone, on the page of the history of this country. I should just state, that, before the case was tried before the supreme court, one, as agreed upon, had been tried in Cumberland: it was carried into the King's Bench, and there it was considered as most proper, under all the circumstances, to keep it. The consequence of such a state of things was, that the government became alarmed, and troops were poured into all the manufacturing districts, and the sheriffs were ordered, by the government, to secure those at the head of the affair. I was arrested, and underwent a long preliminary examination; and, eventually, I, along with all the others taken into custody, were obliged to stand our trials before the Court of Justiciary. I have called your attention so particularly to those facts and circumstances, because all hinges upon them. In the courseo f that year, I had become acquainted with a number of the heads of the reform party in Scotland; but, above all others, Francis Jeffrey, almost from the first time of meeting me, took a deep interest in my affairs. When the case came on for trial, (it will perhaps be necessary to acquaint the jury of the fact, that the Supreme Court in Scotland is not shackled by the statute law, as they are in this country—that court possesses, as I may very properly say, legislative, as well as judicial powers,) it was a case of very clear distinction between the two countries. In such a case as I have been detailing to you, that court had decided, previously, that they had such a legislative power: but there was another thing to be borne in mind; they were not limited to any extent of punishment. While in England, the punishment for the offence was only three months' imprisonment, the court in Scotland had the power of punishing to any extent short of a capital punishment; even to the passing of a sentence of transportation for life. Such was the law in Scotland, in those days; and, gentlemen, I believe it is so still. When there was such a strong feeling in the public mind—when that feeling existed most strongly even in that of the judges, my counsel——— but, gentlemen, though there was such a large body of poor men out of employment, and suffering the deepest distress, they acted most strictly in obedience to the law. Though the contest had lasted precisely for nine weeks—and there again the thing stands alone—the destruction of property was fully covered by L.5. Gentlemen, I draw these facts to your minds, because I am anxious that they should be distinguished from all others. As I was before going to state, when my trial approached, amongst others, I was persuaded by Mr Jeffrey and Mr Cockburn, now both judges in Scotland, not to stand my trial, but to leave the jurisdiction of the court for a time. I followed the advice given by those who were the heads of the liberal party; and kept away from fourteen to fifteen months—the whole of that time, separated from the endearments of my family, and, as is almost usual in such cases, I was ruined by the desertion of the very parties for whom I had incurred so much. At the end of that period, I returned to my own country, and surrendered myself to the power of the court. From the change which time had rendered on the state of the country, the judges now took a more favourable view of my case; and I was punished with only one month's imprisonment. I have been thus minute, in order to shew the circumstances which led to the connections I then formed in society. On my regaining my liberty, I may mention, that the Lord Justice Clerk, no mean authority in Scotland, and one from whom it was not easy to get a good word, eulogized my conduct; and I was discharged without the usual recognisances being required of me. Immediately upon my liberation, my friends interested themselves to get me into business. I was supported by Mr Jeffrey, Mr Cockburn, and others. At the commencement of the manufacturing question, I met Mr Kirkman Finlay, as an opponent. The first time that I ever came into contact with the government was—I wish to call your special attention to this fact—was previous to the serving of the indictment. That gentleman sent for me, and offered me my own terms, if I would only give up the cause of the artisans, and induce them to return to their duty. In the December, it had been agreed that, as soon as I should see a rational prospect of succeeding in business, I should inform Mr Jeffrey and Mr Cockburn. Accordingly, I wrote to Mr Jeffrey, stating my opinion of the general state of the country, at the close of 1816. At that period an immense mass of the poor population was out of employment, and the question of reform was much agitated. In consequence of the manner in which Mr Kirkman Finlay had behaved to me, I told Mr Jeffrey that I did not like to ask any favour of him. But Mr Jeffrey, being at Glasgow attending the assizes, induced me to call upon Mr Finlay. That gentleman again refused to assist me; and, on my writing to that effect to Mr Jeffrey, that gentleman immediately wrote to him. On the 6th December, I received an answer from Mr Jeffrey; and, with that letter. I waited again upon Mr Finlay; which led, in the course of two or three days, to a conversation, in which, after saying he knew I was to be depended upon, he told me that the meetings to petition Parliament for reform were a mere pretext, and that the government had had certain information that there was a wide-spread association formed for the avowed purpose of overturning the government of the country. From the station I then held in society, I was well known. I was engaged in the commission line, which brought me into contact with men of all opinions: and the appeal was made to me by Mr Finlay, with a knowledge of these facts, and a previous knowledge of me at the time I was one of the com-

mittee appointed by the weavers, to manage the proceedings I have before alluded to. He knew enough of my influence; and the appeal was made to me on the ground, first, to obtain my opinion upon the matter: but I at once told him that I could not reasonably see how such a thing could exist, for I had never heard of it; and, if such a matter had been in agitation, I was sure, from the position I occupied in the confidence of the reformers, I must have known something of it. I told him the reform committees were openly formed, and I had been lending my assistance, rather passively than actively, in the getting up of the petitions which were to be presented at the opening of the Session of 1817; and I must have known, at least, something about such a matter, had it been in existence. On talking over the business with Mr Finlay, I expressed my willingness to be of any assistance that lay in my power, in order to find out if there really was such a plot in being. That interview terminated in an offer of an introduction to Mr Owen of New Lanark, now the celebrated Mr Owen, who, Mr Finlay believed, could find some employment for me. I was introduced by Mr Finlay to Mr Owen next morning; and, subsequent to that, he told me the information more distinctly and precisely. He pressed it earnestly upon me to lend my assistance; and I have no hesitation in stating, that I had the most perfect confidence, supposing anything of the sort had existed, that I had influence enough to discover it; and, not only so, but I entertained no doubt but that I could prevent it from going to such a length as to become dangerous: but, at the same time, I would have nothing at all to do with it, without making some conditions, and very important ones. The first was—I refused to interfere in the matter at all, without first applying for advice from my friends in Edinburgh. That proposition was opposed, upon reasons too obvious for me now to detain you with. After the lapse of a few days, Mr Finlay again sent for me, and said, from my perfect knowledge of the state of society, even though I distrusted the policy of the government, yet he had perfect confidence in me, and my ability to be of very essential service to my fellow-men, who had been deluded into the conspiracy. On going further into the matter, I gave up that part of my scruples—the application to Messrs Jeffrey and Cockburn; and I then said I would undertake to use my influence with them, under the following conditions:—I have stated that I felt confident that no part of the Reform committees were engaged in the matter; and also that I felt confident, supposing such a thing to exist, that I could dissipate it, without inflicting punishment on any one; and, therefore, the first of my stipulations was, that any one at all implicated by me, should be secure from punishment. I call your attention more immediately to this part of the case; because, upon it I rest all the subsequent parts of my defence. Could it be for a moment supposed that the basis of the stipulations for my making any exertions at all in the matter, would have involved an appeal to such men as Mr Jeffrey or Mr Cockburn, the men who were then filling the largest space in the public eye—the one the great leader of the popular interest in Scotland—could it be for the purpose of serving a party, or the government, that I should not be willing to undertake anything, that men of the most honourable minds would not only sanction, but approve? That, gentlemen, is a part of my case, of some consequence; because, out of it arises what may lead to my justification. It is very probable that your attention may be drawn to other circumstances connected with these times; and I am extremely desirous not to exhaust your attention and patience; but the case is of so much importance, not only to myself, but also of so much public importance, so that the character of public men may be purified from blame, that I would have been most highly pleased had the time of the court admitted of my going fully into the whole details. I laid down a plan for myself, which was most rigidly acted upon. These stipulations having been calmly considered, and agreed to, I proposed that they should find out a few men to assist in working out the local details of the plot, if such existed. I set out these circumstances generally, because of the low, garbled statements you will see in the libels; but I leave all in your hands; and you will put this plain and correct statement along with the deductions drawn from assumed facts, and the direct falsehoods added to it, by the low miserable writer who is the originator of all these proceedings.

Unfortunately for me, the stipulations which I had made were not performed by other parties. Over those parties I had no control; and it instantly led to the placing of me in such a situation that my most intimate friends were obliged to stand aloof from me. Some there were, who, knowing my honour and veracity, listened to my explanation; but they saw that I was placed in such a situation that they could not consent that I should lay a statement of the facts before the public. In consequence of other parties uttering falsehoods, and the general rumours abroad, as to my conduct, I was obliged to lie under the lash of the most ambiguous inuendoes for some time. But the only consolation I had, was, that I became acquainted with a few gentlemen, who, if they had avowed their opinions, would at once have shewn that my motives were perfectly pure in all I had done. But it formed one of the most cruel parts of my most singular case, that, though I manifested throughout the strongest anxiety to lay the whole of the statements before the public, in the result I was always most grievously disappointed. The violation of these stipulations led to the arrest of certain parties forming the committee of the conspirators. They were brought to trial, and acquitted, for want of evidence on the part of the crown; but, as is very frequently the case, it was not followed up by all those advantages such a triumph was calculated to give, by the want of fidelity amongst the individuals accused. Two only of them had I had recourse to; and one of them being totally destitute of truth, I was obliged to have recourse to another. I certainly had recommended that other persons should be employed, and that their information should be open to me: upon it I gave my opinion, alongst with Mr Finlay, then member for Glasgow, and who, though only the late Lord Provost, I was led to believe, was in close communication with the Secretary of State. The other who had the management of the matter, was the assessor for the city; which office is analogous to your own, of recorder. On the arrests taking place, one of the first consequences was a detail, by many of the parties, of all that had occurred. Amongst others, one of the parties on whom most dependence was placed, stated that he was in the knowledge of the confederacy, from having belonged to it; but he denied that he could state any more. It is worthy of a passing remark, gentlemen, that the late prosecutions for administering illegal oaths arose upon a statute that was first put in force at the time to which I am alluding, in Scotland; and, at that time, was the first trial had under the statute. It excited great interest, not only on that account, but also because the crown lawyers attempted to make out constructive treason, by shewing that the parties had been guilty of entering into an engagement to subvert the government; and making one crime a proof of another. The counsel for the accused wrought most assiduously; and the result was a general acquittal. But, as I had not been arrested, and as I was not sought after, the general conclusion drawn was, that I had been giving information to the crown, which had led to the arrests and trials. I state this—the result was, that I was placed in such a situation that I could enter into no explanation; but I determined to take the very first opportunity of setting forth the whole truth; but that depending upon circumstances over which I had no control, I was a prey to much anxiety. Had there been a conviction, I could have shewn such facts as would undoubtedly have led to a remission of the sentence; and, from that moment, I should not, under any circumstances, notwithstanding the opinion of all my friends, have been deterred from laying the whole of the facts before the public. The result of all was, that I was obliged to abandon my business, and was subjected to a degree of suffering, ruin, and pecuniary loss, which I need not detail—indeed which

I cannot detail. After a lapse of time, during which the opinion of my friends, Messrs Jeffrey and Cockburn, was taken, it was considered by them and others of my friends, that it would be better for me to leave the country. Mr Jeffrey and Mr Cockburn, as well as others, wished me to go and try North America. To all of which my answer was, that I would never leave the country, with the whole matter unexplained. On an application to Mr Finlay, upon the point, that gentleman answered—" No. Richmond's losses have been caused on account of the government of the country; and they are fairly bound to indemnify him." After a harrassing and long period of four years, during which time every part of my conduct, and every circumstance, was submitted to my friends, I at length received a certain sum, in lieu of all claims I had upon the government. I have given you, gentlemen, a very short detail of all the circumstances of my life, at that eventful period; and have to thank you for your attention.

Tait's Magazine, my Lord and Gentlemen, is dated in Edinburgh.

Mr Baron Parke.—Have you a copy of the alleged libels?

[Neither party was prepared with a copy at first. One was afterwards handed up by the defendants' counsel.]

Richmond continued:—I suppose, my Lord, that the articles I complain of have caused such a sale of the numbers they appeared in that they have none left. The first libel appeared in the number for May 1833; and I may as well state to you here, that the libels of which I complain are contained in articles which appeared in the numbers for May, June, July, and August, 1833. The article in the May number is headed "The Spy System; or, 'Tis Thirteen Years Since." I do not think I would be doing justice to myself, if I did not read and comment on a few passages in this libel.

"The first of the brotherhood of the Castles and Olivers that figured at this time, in the west of Scotland, was Richmond, a more plausible and clever knave than any of them, and, therefore, just so much the more dangerous. This man had been bred a weaver, and had come into contact with Messrs Jeffrey and Cockburn, when indicted to stand his trial for being engaged in a combination to raise wages. They advised him not to risk a trial; and he fled and was outlawed, but returned to Pollockshaws in great poverty, and addressed his former counsel, soliciting pecuniary aid. Mr Jeffrey was moved by his condition, and was kind enough to interest himself in behalf of the man."

That is the first false statement. I never did return to Pollockshaws. I also wish, at this stage, to shew the Jury how far this is correct; which is necessary, in order that they may see the *animus* is exceedingly strong. They want to have it thought that I was in such a situation that I would be readily induced to act from pecuniary motives. I have already explained to you that I was then in the commission line, and mixed in good society. Then, also, I had the offer from my friends, in order to proceed with the business I had partially established, of a cash account at one of the banks of Glasgow. You, gentlemen, I am sure, will not require me to explain the very great advantage such a thing would have been to me, in fully establishing my credit. 'Tis true that, while I was confined in Edinburgh Jail, when I was getting my outlawry reponed against, Mr Cockburn, in consequence of his perfect knowledge of me previously, and that the expenses had been great upon me for some time, and knowing that I had a wife and five children, the eldest of whom was not six years of age—you, gentlemen, can easily conceive the situation of a young man placed as I have faithfully described my own situation—Mr Cockburn, well acquainted with all these circumstances, after the trial, and while I was confined in the Edinburgh Jail, better known in those days as the Heart of Mid-Lothian, sent to me, and said, "I cannot help being much interested in your situation and send you a trifle which I may never want. If there is anything further that I can do for you, I will be most happy if you will name it. You have suffered severely during the last two years: but your conduct, during that time of suffering, has probably procured you the friendship of many men; which may conduce to your future happiness and improvement. It is needless for me to say more to you; but permit me to assure you, if you should hereafter be in debt or difficulty in any affair whatever, my advice, if you should think it worth the asking, will be at your command. By taking care of your health during the ensuing month, and thinking without enmity of what is past, but rather with gratitude for the friends you have made, you will overcome all the difficulties you might have escaped had you not interested yourself in the deluded association. I shall always be glad to hear of your welfare," &c. &c. This is the first advance I ever had. I am, of course, reading a letter to you, which cannot be adduced in evidence, because I have no person to call, who could prove the handwriting; otherwise nothing would give me more pleasure, not only to put in it, but an immense number more I have beside me, from various persons of eminence, which would prove the station I then held in society.

[Richmond again read from *Tait's Magazine.*] "He wrote to Mr Kirkman Finlay and Mr Henry Monteith, to see what could best be done to assist Richmond. Mr Kirkman Finlay appears at this time to have been chokeful, ready to burst, with a mighty 'State secret,' intrusted to his prudence and loyalty by Lord Sidmouth. This was nothing less than an extensive conspiracy to overthrow the government, of which Glasgow and its environs was the principal seat. Mr K. Finlay may be very zealous and loyal, and he might also be of the order of men who naturally feel disappointed if a mighty 'State secret,' intrusted to their keeping by a Lord and a Secretary of State, were found to be all humbug; and if it were discovered to be a mouse of which their own mountain was in labour. Of the plot being a very good plot, he never seems to have doubted; and, at his need, the devil sent Richmond, a man, for the purpose on hand, among ten thousand. Their first meeting, in consequence of Mr Jeffrey's introduction, was held ostensibly to arrange the entrance of Richmond into the employment of Mr Owen at New Lanark. It led to a most confidential communing. Mr Finlay was particularly desirous for proofs of the conspiracy, and Richmond was the very person to obtain them for him. When rogues fall out, honest men get their own, saith the proverb. In a few years after this, when the rogues did fall out, Richmond, in a curious printed account of the whole affair, asserts that, when solicited by Mr Finlay to act as a spy, he wished to consult his benevolent patrons, Messrs Jeffrey and Cockburn; and he adds—yet who can believe one word that he says, for which there is not other proof—that to this proposition Mr Finlay decidedly objected, as was to be foreseen; they were, he allowed, both honourable men, but not the sort of persons to be intrusted with Lord Sidmouth's IMPORTANT STATE SECRET, confided to Mr Richmond on a few hours' acquaintance."—I have already stated that the deductions are false.—" These high contracting powers, Finlay and Richmond, appear to have first met about the 10th of December 1816. On the 22d of that month, Richmond had so well acquitted himself, by bringing intelligence, that he states, that his employer, Mr Finlay, who had made him vague offers of reward, was now '*authorized by government to offer me a respectable permanent situation, if I would lend my assistance to suppress the conspiracy.*' The loyalty and patriotism of Mr Richmond, prompted by that of Mr Finlay, could no longer refuse the wished-for aid; but to detect a plot, or suppress a conspiracy, it is necessary that one should first exist; and this, an article at that time of the first necessity to the government, Richmond set himself to hatch with all diligence."—Hatch! there is no mincing the matter, gentlemen, here. (*Laughter in the court.*)—" Subsequently a plot was really formed; but when the wretched and infamous affair was developed and traced, the ingenuity of the whole posse of Scottish Crown lawyers, sheriffs, and the myrmidons never behind in such cases, failed to obtain a vestige of proof of any oath, bond, or association, existing prior to the middle of December—that is, a few days after Richmond's first interview with Mr Finlay. The whole

object, as their rascal spy acutely stated, after they dismissed him, was to get up an alarm 'to quash the demand for Reform, then so generally made.' And this is true, if a worse than Richmond had said it. Besides Finlay, who must be presumed to have acted gratuitously, and from *pure* patriotism, in this very dirty affair, and whom we are rather inclined to class among those shallow persons whose understandings infallibly miscarry under the burden of 'a great State secret,' than a designing man, or one capable of mixing, with his eyes open, in the base treachery and utter infamy of his creature Richmond, there was a third party, a Mr Reddie, advocate and town-clerk, in whose house, to avoid suspicion, nocturnal meetings were held, at which the spy reported his villanous progress, &c." I trust, gentlemen, you are paying attention, without my stopping to call your attention specifically to the inferences which are attempted to be drawn. "And now mark the steps by which a Sidmouth-spy proceeds; for we think Sidmouth is as much entitled to the honour of the name, in all future time, as any discoverer or navigator is to have an island or cape named after him. There was then living in the Calton of Glasgow, an intelligent weaver, named William M'Kimmie, known to Richmond as a keen reformer, and one possessed of some influence in his own neighbourhood. To this man the villain spy talked in glowing terms, of the state of feeling throughout England; where the people, indignant at the Parliament scouting their petitions, were arming themselves, and organizing to overturn the government. This information, he affirmed, that he had from private but sure sources. He urged the propriety of following the same course in Glasgow, and that every man entertaining *his views* should take an oath to unite in *forcing* a complete reform in the representation. The law of 1833 was, it appears, the treason or sedition of 'thirteen years since.' We should not have wondered if William M'Kimmie had yielded to these traitorous solicitations; nor, all things considered, should we greatly have condemned anything save his imprudence; but without at that time distrusting the spy, he fortunately rejected his councils. The social Burker found more credulous victims."

I cannot, gentlemen, pass over this part of the libel, without calling your special attention to it. We have lately had some important discussions on the law of libel in this country. Libels may be very simply defined, as the application of any language to a man, tending to lower him in the scale of society. If it does so, it must very naturally prejudice him in his pecuniary interests. It sometimes, however, occurs that a jury is left in considerable doubt, because the same word may be applied in a variety of ways: and, in some ways, the same word, which, in another case, might be a gross libel, would be quite inoffensive. There are certain terms and epithets that are to be applied by juries. The jury, by the law, have the application of the penalties in their power, in this case; and in all, except where a different course is taken, viz. by indictment or criminal proceeding, when it rests with the court. I wish to press that fact upon your attention, because I believe that this is the first time that the epithet I have already read to you has been applied to any person; at all events, it is the first time it has come before the notice of a court of law. It is unnecessary for me to remind you, gentlemen, of the facts out of which it arises. They are mixed up with such a degree of atrocity; at least, in my experience, I remember no murders which excited such detestation as those alluded to—the murdering of persons for the purpose of dissecting their bodies. There can be no doubt left on the minds of the Jury—the whole scope of the English language could not have given the infamous writer of the libel such an epithet as "SOCIAL BURKER;" you will, therefore, perceive that the fact of these being libels is manifest. If there was any doubt as to that fact, the manner in which the subject is treated, renders it almost unnecessary for me to make one single comment upon the *animus* displayed throughout.

"To M'Kimmie he had boasted of having plenty of funds to defray all expenses; and he found creatures, whom he only half trusted, fitted for his purposes of deluding and betraying better men. We shall quote from the narrative of this humble friend of Mr K. Finlay, and chosen depositary of 'a great state secret.' Some of the persons whom he influenced, upon New Year's night, 1817, and about a fortnight after he had obtained the confidence of Messrs Finlay and Reddie, mustered a meeting of a dozen or more weavers in a public house. The master spy did not himself appear. It unfolds some curious recesses of the human heart to see how this wretch speaks of his own conduct throughout these transactions. There is not a doubt that he conceives himself a very ill-used man, and one, in moral rectitude, far superior to Lord Sidmouth, Mr Maconochie, then Lord Advocate of Scotland, and other high functionaries, and most honourable and excellent persons. We leave posterity to strike the balance between them. 'My proceedings,' he says, 'required to be conducted with the utmost caution. I plyed M'Lauchlan, [a weaver he had corrupted,] who had already committed himself to me. I gave him small sums of money, to relieve his necessities, [from funds furnished we may conjecture how,] but regulated so as not to excite suspicion.' So far this had the effect. The ruffian evidently takes pride in his gift of practice, while still so young in office. To a man who attended this meeting, and who took the chair as they called it, Richmond had previously furnished a treasonable oath, which was to be administered to all present."

Here again, gentlemen, there is no mincing the matter. We shall see how the defendants make out their statement.

"This chairman was also suspected of being one of his emissaries. Even among those deluded victims there were misgivings and marks of good sense. One man said, before taking the oath, he wished first to consult his minister; another wished a week for consideration; and the person in whose house they met, refused absolutely to take the oath. But while these persons retired to consult, the oath was agreed to by the rest; and the man who had filled the chair, suspected to be Richmond's emissary, immediately set off with the *original* document, and also a *copy* of the oath. Mr Finlay, according to the printed statement of his subaltern, Richmond, had 'expressed great anxiety to obtain a copy of the oath in writing; and one was procured for him.' 'This,' again, says this base creature, 'was the identical document that made such a noise in the House of Commons.' Such is the history of what is called, A GREAT STATE SECRET. On the evidence thus forged by villany, and an oath administered to a set of deluded, and probably half-drunk men in a public-house, upon a New Year's night, the wished-for alarm was raised, and the liberties of the country were suspended. In one part of his narrative, Richmond, who, before the game was up, became acquainted with many great folks, reports a conversation he held with the late Solicitor-General for Scotland, in which that Crown functionary 'frankly admitted many of the errors committed by Government: one of which was, that, so far as it concerned Scotland, there was no necessity for the Suspension Bill in 1817.' Mr John Hope was but young in office, we conclude, when he made this admission.—The *plot* now worked to a marvel."

"While still young in office." This is bad logic; Mr John Hope was not in office for several years after the times here alluded to.* I merely mention that fact, gentlemen, to shew the extreme eagerness of the writer to vilify every one that he possibly can, as well as to shew his utter ignorance. Then there is an extract from my book, which, I dare say, you will hear read on the other side.

(*Richmond continued his readings from the Magazine.*)

"Very good and apt this, from Mr Richmond. This man, from some relenting of nature, or stirring of remorse, stipulated for impunity to such individuals as he should point out; and that no one should be arrested as accessary to the plot, till he consented. But Messrs Finlay and Reddie had less patience. The conspiracy was now ripe

* Richmond is correct here. The Solicitor-General, at this time, was not Mr John Hope, but Mr Wedderburn; the gentleman who gets so high a character from Richmond, on page 125 of his Narrative.

enough for Lord Sidmouth's purpose, whose peremptory orders Mr Finlay pleaded to allay the wrath of his spy at the breach of compact. A treasonable address, emanating from the same foul source, had been posted up in Glasgow and the neighbouring places, by the spy, his emissaries, and dupes."

You see, gentlemen, the *animus* does not flag; and it is very necessary for you to look closely into this part of the case. I had left Glasgow in February 1817; and resided in Edinburgh till 1822; and had not the slightest connection with the manufacturing districts at all, during the periods of 1819 and 1820, to which this part alludes, and during which there was great excitement. After the execution of Thistlewood and his companions in London, a Special Commission was sent into Scotland, for the purpose of trying those charged with high treason. The convictions were numerous; and three of them were carried into execution. Direct acts of treason had been committed by two of the parties; who suffered, because a small party had set out, under pretence of going to the Carron Iron Works, and had actually opposed the military with arms. The other, I fully believe, was not guilty of any overt act; but he suffered also. I had not been at all, in any way, connected with these districts for years. Yet, though the parties had twice applied to amend their pleas, still that part of the case was allowed to stand without any qualification. "Emissaries and dupes!" Now, I state it unhesitatingly, that if the writer of this article had paid any attention to history, or to the book he purported to quote from, he would have seen that it was impossible that I could be at all mixed up in that affair. The article seems to have been written for the purpose of confounding events and circumstances, and to confound and work upon the passions of those working men to whom the first book was addressed. They studiously confound the events of 1817 with those of 1819 and 1820, when the executions, then taking place, had called the public attention. The intention of charging this "treasonable address" of 1819 and 1820—it is very artfully confounded with those events of 1817, in order to mystify the readers and the public.

"About thirty men were apprehended, in the way best calculated to produce the most alarm; and on the 18th February, the report of a Secret Committee on the general plan of insurrection, laid the foundation for a bill to suspend the Habeas Corpus, which was notified in the House of Peers upon the 21st."

Here is a specimen of the way in which they confound things in the very same sentence. The events here alluded to belong to 1819 and 1820. It was in those years that the committee sat, on the 17th February; and it was upon their report that the suspension bill was founded.

"To corroborate this report, intelligence arrived on the 26th, of the arrests in Glasgow. The Lord Advocate (Maconochie) had all this while been in constant communication with Finlay and Reddie. It was through him the offer of 'a respectable situation' had been made to Richmond. 'It had,' says this worthy, 'been agreed in the Secret Committee, that the Oath or obligation of the confederacy at Glasgow should not be made public. *But the Ministry being pressed in the debate* to shew more substantial *proof* of the disaffection which, they asserted, existed in the country, the Lord Advocate of Scotland (Maconochie) rose in his place, and, with the greatest solemnity, read the document (the oath) formerly transcribed; *which produced a strong sensation in the House.* This was a proof positive that could not be resisted; particularly when he added that there *were many of the higher orders of society engaged in the conspiracy, and that it consisted of many thousands!* The unbelieving members were silenced, and were afraid to shew a scepticism which might call forth something still more horrifying; and on the 28th, the bill passed the House *without further inquiry.*'"

That, gentlemen, is a quotation from my book. The text then goes on to say—

"This was even quicker work than the present Irish Mr Home Drummond, then a depute-advocate, came to Glasgow, to assist in the judicial examinations; and, according to the account given in the Narrative, and what transpired afterwards on the trial of Andrew Mackinlay, the thrice-indicted man, he tampered with, or actually suborned John Campbell, an important witness. Richmond states, that, finding Campbell inflexibly honest, the officials of the West besought him to influence the man whom neither threats of being brought to trial, nor promises of reward, could make swerve from the line of rectitude. Two of the prisoners, Edgar, a schoolmaster, and Keith, a cotton-spinner, were indicted for high treason; the Crown Lawyers, relying upon the witness Campbell, whom they imagined they had at last secured, and hoping, perhaps, that it might be as easy to gull an Edinburgh Jury with the 'Conspiracy' as both Houses of Parliament. The treason specified was that committed on the New Year's night already mentioned. The Whig lawyers mustered in full force to protect these men, and, through them, the cause of public justice; and the result was, that the Government engines were upset. The Crown lawyers, finding witnesses and juries not quite so subservient as in the days of Braxfield, or while Henry Dundas was in his pride, abandoned the case against these men, and took up another, to sustain yet more signal defeat. This was that of Andrew Mackinlay, three times indicted for the same alleged offence. While this was in progress, the villany practised in Glasgow transpired; and when, in June, a bill from the Lords was introduced into the Commons for *continuing* the suspension of the *Habeas Corpus*, Lord Archibald Hamilton openly denounced the Spy System; and even Mr Finlay expressed his disappointment at the first and second indictments not holding, and his disgust at the same man being three times indicted for the same offence. When the Bill for continuing the suspension of the Constitution was passed in the House of Peers, *Earl Grey said, that in Glasgow, one seat of the alleged conspiracy, men were arrested on a charge of swearing unlawful oaths; which oaths, there could be no doubt, were administered by spies and informers.* Many will still bear in recollection the breaking down of the third attempt against Mackinlay, and the *coup de theatre* in the High Court of Justiciary in Edinburgh. The Crown Lawyers relied upon the suborned witness Campbell, whom they had kept snugly locked up in Edinburgh Castle, refusing to allow the prisoner's counsel to have any access to him till he should be brought forward to establish the Lord Advocate's twice-bungled charges. It was too bad of Mr Jeffrey, knowing all that he knew, to object to this witness. It was the cat playing with the mouse. The Court, as was to have been expected, overruled his objections; the Lord Advocate and his deputy, no doubt, exchanged glances of congratulation; the witness was allowed to appear; and, oh! for the pencil of Cruickshank, to delineate the looks which followed his deliberate reply to one among the first questions put to him:—

"'Have you received any reward, or promise of reward, for being a witness and giving evidence in this case?' 'I HAVE.'

"A very pretty disclosure followed, and the case was at once virtually abandoned; the Lord Advocate, in despair of a verdict, declining to take up the time of the Court. Richmond, who was in Edinburgh all this time, lending his secret aid to the Crown Lawyers, says, when he called upon them next day, they appeared like chagrin and mortification personified; the statement of Campbell utterly astounded them—came upon them like their death-knell. Mr Home Drummond attributed their failure to want of management. 'Had the case depended on the late Lord Melville, he would not have drawn a trigger till sure to kill.' When we say the conduct of the prisoner's counsel was 'too bad,' it should be known that Campbell had contrived to apprize Mackinlay of the attempts made upon his integrity, by a detailed statement, concealed in a roll of tobacco, which he managed to send to the prisoner as a present; and that they stood prepared for the catastrophe. We do not think the statements of a spy of much more value than those of the greater men who employ so vile an instrument to ensnare the unwary, or beguile the

innocent; yet the subsequent executions at Derby, of the Bonnymuir victims, and of others as clearly entrapped, bear Richmond out in his subsequent affirmations. 'As I had frequent opportunities,' he says,

"'Of *unreservedly* hearing the sentiments of the Crown Lawyers during the progress of the trial, I will state the impression produced upon my mind, as to the original intention of the measures pursued. Had they, in the first instance, SUCCEEDED in establishing the administration of the oath, of which they entertained no doubt, TWO OR THREE WOULD HAVE BEEN SENTENCED TO CAPITAL PUNISHMENT, and A NUMBER MORE TO TRANSPORTATION; and had the circumstances, which I have related, not intervened, I HAVE NO HESITATION IN SAYING, THAT THEIR SENTENCES WOULD HAVE BEEN CARRIED INTO EXECUTION!!'

"Mr Finlay, and the others concerned in this affair, found it much easier to engage Richmond to act as a spy than to satisfy his cupidity. They wished him, above all things, out of the country; they wished to ship him off for the Cape of Good Hope, where Oliver the spy is said to be settled; but he stuck in their skirts like a bur."

My Lord, and Gentlemen, I am not in a situation to put in a vast quantity of letters I have in my possession; or they would be able to throw a great deal of light upon this part of the matter.

(Mr Steer, Richmond's counsel, here suggested something to him, in consequence of the evident tiresome effect which the plaintiff's dilatory manner of stating his case had produced upon the jury.)

Richmond.—I am very desirous of curtailing these extracts—indeed the whole case. The article is very long; but it goes on to describe the circumstances which led to the executions which took place in 1820; and there are several cases where the writer, wishing to make some cases worse than others, has taken the opportunity of introducing the name of Richmond.

Gentlemen,—you will see, in the extracts that I have read, that the name of Mr Finlay is brought forward in a very prominent way; and it appears to have led to the publication of a letter by him in the Scotch papers; because, in the June number of the Magazine, there is a letter purporting to be written by Mr Tait in reply to that letter.

"MR TAIT'S ANSWER TO MR KIRKMAN FINLAY'S LETTER TO HIM.

Reprinted from the Edinburgh Observer of 14th May.

'You shan't 'scape me, villain!'—*Cassio to Roderigo.*

You find your evil deeds made known, and wish to prevent the world from believing statements which you know to be true, by publishing a letter in the newspapers, denying their truth, and attributing them to me, although you know they are all to be found in the book reviewed in Tait's Magazine. But you shall not escape so."

I feel a personal interest in that particular passage; because, for the last thirteen years, I have derived my chief subsistence from my connection with the periodical press. [Here the long line of Reporters in court pricked up their ears, astonishment and fierce scorn in their faces.] I call your attention to this; because it is applicable to the whole of these libels. Mr Tait seems to think, that it was enough for his purpose, and justified him, that a book had been published upon the subject, and that he was only reviewing it. It is necessary for me, gentlemen, to delay you for a moment, and call your attention to that principle. No case could possibly be adduced, in which it could be so well shewn what the effect of that principle would be.

I think I may as well tell you the basis of all these libels, at this stage, as anywhere else. The book which was purported to be reviewed was brought out in twopenny numbers, and was conducted by a person who is still bringing out one of the unstamped publications * in Glasgow. All I will say of which, is, that it is entirely suited for the worthies with whom that person is connected, and the circle in which he moved. However low the opinion you may entertain, of the low unstamped publications of this city, may be, you have never witnessed any of so scurrilous or mean a nature. It is conducted by a man who is considered as the great leader of the extreme political—or, in other words, the radical party of the west. From the fact, that the whole of the metropolitan press, with only one exception, thought the publication too mean for their notice, as evinced by their silence upon it; I confess I was astonished how Mr Tait had so far forgot himself; but much more so, when he came forward with repetitions of it. The letter, then, goes on thus—"You say, '*It is not your purpose to attempt to correct my numerous errors and mistakes.*' No man is secure from mistakes. Did I know any in the article, 'The Spy System,' I would not hesitate to correct them. But excepting a passage which may be construed into an insinuation of corrupt *motives* against Mr Reddie, which I have already disclaimed, I know of none. The article abounds in minute circumstantial statements, relating to matters of great importance to you, literally copied from, and made upon the authority of a book published week after week in your own city of Glasgow, which, as it has been before the public several months, you must be presumed to have seen. The author of the book appeals to living witnesses, and challenges contradiction; and I find no attempt made by you to disprove his statements, nor even a public denial of their truth.

"Of the 'numerous errors and mistakes' you ascribe to me, you, with characteristic simplicity, mention one.

"It seems that I have 'wantonly and ignorantly more than insinuated charges against a noble Lord, which are both false and calumnious.' The noble Lord is—Lord Sidmouth, to whom I imagined the glory of introducing the Spy System chiefly belonged; and the 'wanton, ignorant, false, and calumnious charge' is, that Lord Sidmouth *intrusted to you* a State Secret, and that you *communicated with Richmond*, your villain Spy, in order to follow up the noble Lord's wishes; whereas the fact, as you declare it, is, that you communicated with Richmond of your own accord, and sent 'information' to the noble Lord, instead of receiving it from him! Here is a defence of Lord Sidmouth, indeed, from the infamy of originating the Glasgow branch of the Spy System; but the infamy remains. You only relieve Lord Sidmouth of a part of a load, to take it upon yourself. You, it seems, claim the whole paternity of the Spy System in the West of Scotland; you will not share it, either with Lord Sidmouth or the Lord Advocate. I give you joy of the distinction!

"Are you not, however, doing yourself some injustice, by this, your chivalric defence of the immortal chief of the Spy System. Your ally Richmond gives a different account of the matter. I quote from the book reviewed. 'Richmond thus describes the first political conference he held with Mr Finlay:—That interview, which, upon the recommendation of Mr Jeffrey, he sought with you, to obtain some honest means of gaining a livelihood—not to become a traitor to his friends, and a disgrace to his patrons. Richmond says—the man says, who came to you with a clear conscience, and left you, yielding to a strong temptation, presented at a critical moment to a needy man.'"

Mr Baron Parke.—That part is not complained of in the declaration.

Richmond.—No, My Lord: but I wish to lay the whole of it before the jury, in order to shew the iteration, at the end of a full month. I will not read the whole of the letter, but merely call your attention to the passages in which my name is introduced, for the purpose of shewing the *animus* of the writer. Further down, there is this passage, "By communicating with Richmond, your Spy;" then, again, "was it not proved, that innocent men were excited by Richmond, your Spy," and, "A man is sent to you by a friend to procure employment; and refusing to let him reveal your purpose to that friend, though that friend was Mr Jeffrey, you employ him as a SPY, to find

* There is a false and malicious insinuation here. The "person" alluded to, Mr Peter Mackenzie, (as true-hearted a friend of the people as lives,) is indeed the Editor of the Reformer's Gazette; and that periodical is published without a stamp,—because, being a monthly periodical, no stamp is required by law. It is an *unstamped* periodical in no other sense than Blackwood's Magazine, Tait's, or Chambers' Historical Newspaper, are unstamped periodicals.

a plot which you absurdly supposed to exist; and he, tempted by the promise of 'a respectable permanent situation, if he would lend his assistance to suppress the conspiracy,' excites a conspiracy, as he cannot find one ready made; and in the sequel, for Bonnymuir is but the sequel to Richmond's bungled plot, innocent lives are sacrificed, by the direct instrumentality of this villanous system." I have told you, that this is a falsehood. The complete contrary was the fact; and it was known to the writer. The offer was made to me, and spurned with contempt. Gentlemen, the rest of the libel you will hear read at a future stage of the proceedings.

Gentlemen of the jury, on the publication of the number for May, my attention was called to it by some of my friends, not being myself in the habit of reading the work. As soon as that was done, I wrote a letter to the Editor of the Magazine, which would reach him before the publication of the number for July. It was on the 14th or 15th that my attention was called to it. In the number for July, there was an appendix, though my letter is not inserted; but there is a note, evidently written by one who had read my letter, adding, if there was an injury done before, the greatest insult. It appears at the end of the number, and to have been added after the last sheet had gone to press: but the same opportunity might have been taken to have inserted my own letter, which would have been of great importance to me, on account of my situation at that time.

"RICHMOND says, 'Mr JEFFREY and Mr COCKBURN were satisfied with the purity of my intentions, [Indeed!] and regretted my interference *only* from the misfortunes into which, in a worldly sense, it had involved me.' They might, we think, have also regretted it a little for the misfortunes in which it involved their own persecuted clients—innocent men and poor families, among whom this precious conspiracy, (for which no man was ever convicted,) which you discovered, spread dismay, heart-break, and ruin. And we can easily believe this was to these gentlemen as deep a cause of regret as Mr Richmond's deplorable plight between the stools of pure Patriotism and filthy Pay. '*The whole circumstances*,' continues Mr Richmond, '*were before them; and at their recommendation alone, nay, by their desire*, did I claim indemnity for irreparable losses which I had sustained.' The loss was, indeed, irreparable. It was what, to an honest man, the Treasury could not repay—the loss of character and peace of mind; for Richmond was forced to leave the employment of Mr Owen at New Lanark, which, when in a state of destitution, he had shortly before obtained."

Gentlemen, the last of the four libels was published in the number for August. I am very sorry that the time of the court will not permit me to go over the whole of this article: but I am very anxious to have my statement closed as soon as possible. The article is begun by a commentary, and then my letter is given.

[Here Richmond produced a newspaper, from which he was about to read.]

Mr Sergeant Talfourd. I do not wish, my lord, in a case where a plaintiff conducts his own case, to make any captious objections; but I submit—

Mr Baron Parke, to Richmond.—Unless you are going to make evidence of the paper, you cannot read it. You shall have as much time as you require, to open your case; but things must be done legally.

Richmond. Thank you, my Lord. Then, the fact was, I complained of the non-publication of my letter; they only gave my first one; and I pledged myself to furnish them with the means of proving their charges. I pledged myself to proceed with the action. The letter was suppressed—not for the want of time, or to correct misstatements, or to retract what was false in the libels: no; the object was to have time for the purpose of accompanying it with foot-notes. The *animus* in the first one, is denying that I had any motive save a pecuniary one; and that I, who had been a traitor to one side, had soon turned round upon the other. A continuation of the *animus* is distinctly shewn; is shown, not only after the receipt of my letter in July, but in the holding of it over till August, for the purpose of wounding me further. After my letter comes another paragraph, in which is the following passage:—"Richmond is evidently displeased with Mr Finlay having two strings to his bow—the Police, the Patriot-Spy, and those the Patriot-Spy plied with sums of money. He would consent to the interference of no one in the management of the plot, but himself; not even to the interference of that person who had first informed him of its existence." There is another assumption, gentlemen, in the same page, a little lower down. "Now, with all this knowledge and belief, and all his boast of patriotism, and love of justice, and of the people, why did not Richmond, the Patriot-Spy, come forward and proclaim these things, while the truth would have saved the men, served the country, and gone far to redeem himself. Why did he keep all in his own breast for seven years, till that abortive course of worrying for his 'indemnity' was found to be useless with a hard-hearted, ungenerous, Tory government? Why did he not come forward then, and make, as he says he had a right to do, 'AN EXPOSURE OF THE WHOLE?"

I may as well notice the fact; because the question has been put. One reason is, that these are confounded events, separated by a period of four years, and the men were saved. The reason why I did not come forward, was, that they were saved; and I would not break confidence with any man, or set of men. The conditions were not violated, and the men were saved. The events were spread over a larger space of time than four months; and only in consequence of the indictments being successfully disputed, the men were saved; and there was no way in which I could have come before the public. The charges are made broadly. They say, that, during these trials, I was in constant intercourse with the crown lawyers: now, I certainly saw them very frequently; but not upon those matters, but upon the general state of the country. The Suspension Bill passed for Scotland, without an individual having been incarcerated. It is, however, insinuated, that I used its powers for the purpose of my own revenge. Where are the individuals who were injured? I am well aware, some parties for whom I interposed, were saved, entirely through that interposition; and that they, at least some of them, have joined in this conspiracy against me, with heart and hand. The facts of the case are as I state. No individual was detained in 1817, under the Suspension Bill. When the legal part of the case broke down in the hands of the crown lawyers, the remainder were discharged, though they might have been detained under that bill; and the country was quiet, till 1819; with the events of which time I had nothing at all to do. I wish that it was in my power to put in the letters of the crown lawyers upon that subject. They would elucidate it, and fully make out the case I have stated to you, that I told them I would afford no assistance to any case. That was one of my conditions. But I admit that I was most anxious, and wished much that the gentlemen on the other side had thought it proper to call me. I could have done the prisoners no harm, by any possibility; for I knew nothing of them. All I could have done was, to have given a general statement of opinion and information. I was originally cited on the part of the prisoners; and I was exceedingly anxious to be put in the witness box, so that I might have had an opportunity of making an explanation of the whole of the circumstances. It would have been much better for my interests, that I had been so. "Richmond is expected to be called as a witness for the crown!" Gentlemen, I hold in my possession letters which shew clearly that nothing prevented the crown lawyers from calling me, but the condition I have before laid before you, which was still binding; that I should not be called upon to afford them any assistance in a court of justice.

Now, gentlemen, I shall very soon finish my commentaries. In my statement, I told you I was engaged in conducting a bill through Parliament, for the purpose of extending the franchise in the parish of St Luke's. The results of these libels have been my utter ruin. I was engaged on the bill when they appeared, and, through these, it was lost.

Now, my Lord, and Gentlemen, I shall not occupy your time much longer. I am desirous, if possible, to bring

the case as plainly, but as shortly before you as is possible. From the precise rules necessary to be laid down in judicial cases, I am precluded from laying before you a great many things which would have elucidated the case. I have, however, laid before you such a case as no man, armed with integrity, as I am, need fear to stand upon. Conscious of my integrity, I appear before you with full reliance upon you, and that you will act in this case as becomes a British jury: well knowing that you have now such feelings as will lead you to give a verdict according to the dictates of your conscience. I want no mercy, I wish only for justice; and I cannot help, now, not knowing what course this action may take, what disposition may be shewn by the defendants in the case, leading your attention more particularly to the discussions which have taken place upon the principles of the libel laws, because they have recently much influenced the minds of juries.

There is nothing more easy than to assume and state as a fact, the absurdity of truth ever being a libel. Gentlemen, it is now eighteen years since any of these events occurred, to which the parties assume some infamy attaches. It is that time since I have been in relation, or connected with any circumstances, but what would highly redound to my honour. Neither the circumstances of my life before or after these events, can be brought into question here: only those running over a period of just six weeks of my life. Could any inquiry be made, whether it relates to my relative duties as a father, or husband, or to society, it would be found that it has fallen to the lot of very few men, with such limited means as I have had, to have done so much good. I ask you, then, upon the principle of the law of libel—suppose you had now to legislate upon it, can you conceive any state of society that would admit of the unlimited truth to be published, without regard to the time that had passed, and the altered circumstances of all the parties? Where would be the principle of Christianity, whereby a person, by contrition and repentance for any action, is, as it were, absolved from its penalties? Where the policy of such an act, which would drive individuals from society? Yet such would be the principle that would be established, by making a law that will make truth no libel. But, gentlemen, even for a moment suppose all the facts set out in these libels true—that there is not a single assertion or epithet but could be proved—what would you think of the parties who could wantonly rake them up, after a period of eighteen years, against a person who was filling a most important parochial situation for ten years, and whose active exertions for the general benefit of society might have been equalled, but not excelled, by any one now in existence? If they were justified in such conduct, where would be the protection of the law?—where its boasted justice? Though I have not gone for special damages, I will shew you that I might have done so, had it been damages that I sought. At Midsummer last, teased by the importunities of a wife, who stands in my affections as high as the mother of his children can do to any man, and by a family, who are now grown up, and, after a great deal of affliction—after being respected in the parish where I resided, and where I had for ten years served the office of guardian of the poor—I was obliged to leave the parish entirely from these libels, and in consequence of these articles. I told you that, at the time they appeared, I was engaged in the conduct of a most important bill through Parliament That bill was thrown out in the House of Lords, exclusively in consequence of these libels. This, then, would be the effect, if that was to be laid down as an axiom of law. No one man would be safe; no man who had paid any attention to the secrets of private life but would find it necessary to protect them from the daggers that might be sent forth against them; as in this case, where they are drawn in Glasgow and reiterated in Edinburgh, to serve the purposes of party prejudice. The effect there also has been most serious; inasmuch as, though I have not been in Scotland myself for a long time, there all my relations remain, and their feelings have been harrowed up in the same degree as their propinquity to me. I have been reasoning now, gentlemen, upon the supposition that all the charges against me were true. What will you think, when I tell you, there is not one word of truth in the whole of the matter! At this distance of time—at the end of eighteen years—after all possible circumstances have passed away, that could influence any individual to bring them again before the public, except from motives that are too paltry for me to suppose that such were the spring that actuated the editor of this Magazine; the whole *animus* and intention of the whole of the libels, is to shew that, during certain periods, the government of the country did not only act harshly to the people, but that, when they had an end to gain, they did not care to excite them to rebellion. All the inhabitants of the manufacturing districts were taught to believe, that all the excitement which prevailed between the years 1817 and 1820 was purposely got up by the government, and that the people had never entered into any criminal proceedings at all, of themselves, but had suffered the penalties, as dupes. That is a most erroneous doctrine; and one more pernicious in its effects, or more ruinous in its consequences to the peace and comfort of society, could not be promulgated. In former life, I was always very friendly to the liberty of the press; but I never could think otherwise than that much of the agitation and disturbance that took place after 1817, was attributable to the doctrines it put forth. This I can truly say, that, as far as I had an opportunity of seeing and judging of the proceedings of those times, there was not the slightest foundation for charging the government either with inciting, or, in any other way, being the cause of the arrests that then took place. Knowing that to be the case, and that it is a point of serious moment, I will state here, that I could not select any one single act of my life in which I acted with more disinterestedness, than I did during that time. If I was required to select any part of my past conduct that was more disinterested than another, I would certainly at once point to that time. I am well aware of the ridicule I may encounter, in laying down such a position: but my conduct during the whole of that time was well known to parties who were above all suspicion, and in the highest degree honourable. They knew that I was acting most disinterestedly, and without regard to the consequences, as applicable to myself. I will go further than I have done; and state distinctly, that there never was the slightest encouragement given by the government to the confederacy. And, if my voice could reach the public, I would try to impress upon them the madness of supposing that the condition of the people can ever be bettered by means of secret organization. Such means are ruinous, even when taken up upon a limited scale, and—but indeed I defy any one to shew that they even did good at any time. I am induced to embrace this opportunity of mentioning one case which is within my own knowledge. M'Dowal Peat, the man whose name you have heard before, was the man, above all others, whom the Government would have liked to get hold of; yet that man, who had suffered more than any other one, was called an emissary of the Government. He was persecuted, upon the slight foundation of suspicion. He was persecuted on both sides; for, while one party took the means of depriving him and his wife of the means of livelihood, the Government, on the other hand, were not idle; and, to escape them, he was obliged to fly to America; upon which he was outlawed; and his outlawry stands against him even to this day. The fact was, that some writers in the press of that day, could not make out their case, except by some act of pure invention; so they sacrificed him, and made him the emissary of Richmond, whom he knew not and had never seen. I take the opportunity, gentlemen, of being in a court of justice, where I am sure no man could stand in my position and state anything but the truth, of stating, in as emphatic a manner as I can, that there is not one word of truth in the whole matter.

It is painful for me, gentlemen, to call your attention to the individual circumstances of loss to me, arising out of these articles; and I am not sure that I am perfectly in order, in going into any special circumstances.

Mr Baron Parke. No. You cannot. You have not set out any special damage, in your declaration.

Richmond. The reason for that, my Lord, and Gentlemen, is, that many of the special circumstances have arisen since the action was brought. I will, however, be obliged to state a few of the circumstances connected with these libels. In the following months of March and April, the same attacks were continued in the Magazine, for the mere purpose of running me down; and they were put an end to, only by the threat of a criminal information. After this action was set down for trial, an application was made to the Court for a commission to take evidence in the cause in Scotland, under an act of the first year of the present king, The Judge then ruled, that the commission should issue on the application of the defendants, and that the plaintiff should join in it, if he thought proper. He, at the same time, ordered the defendants to furnish me with the names of all the witnesses they were going to call for examination. It was also further ruled, that the commission should sit either in Edinburgh or Glasgow, in whichever place the greatest number of witnesses resided: but the object of the defendants was to have it sit in those parts where the greatest excitement existed against me; thinking most probably that there they would have it all to themselves, and that I would not dare to appear. The commission issued in June. I did not join in it, because I saw the names of all the parties I wanted, in the list of witnesses furnished me by the defendants. I went to Glasgow, and was absent from my family and my business for nine weeks. The result of the commission will be laid before you; and I will now only say, that I have never before known any case followed up with such a determination to ruin a man. No circumstance or object had been neglected by the other party, which could in any way harass me, or delay the cause.

In bringing this action, there is one part of the libel law upon which it is necessary for me to make a few remarks; because there is no doubt but you will hear of it from the learned gentleman on the other side. It is the making the agents in London liable for the libel. I have been abused in other numbers of the Magazine, for making the mere agents the parties to defend this action; and it has been asked, not only why I did not proceed against the editor of the Magazine, but against the editor of the book published in Glasgow, which I have before alluded to. The reason is very obvious. I could never have got anything from him. He is really not worth proceeding against. Some one must be responsible for all publications. The extent of the responsibility may be varied by a new law. But, at all events, I trust no one will throw out any imputations against me, for I really had no wish to strain the point, as the defendants well know. I applied by letter to the solicitor on the other side, for Mr Tait's undertaking to stand the chance of the action. That was refused me; and, therefore, I had no other plan to take than to make the London agents, the parties who disseminated the libels in this city, the parties who were responsible to me. They have taken that responsibility upon themselves, of course under a security from Mr Tait, who is the real defendant; for why, otherwise, would Messrs Simpkin and Marshall have justified in such a case? The real responsibility rests now where it properly ought—on the shoulders of Mr Tait. On the opening of the commission in Glasgow, I was shewn Mr Tait, for the first time. I then told him that, as he was virtually the party sued, I would most willingly substitute him for the present defendants—so that no blame can attach to me, upon the matter. It was shewn on that occasion—the opening of the commission—that Mr Tait was the party really interested; for he applied to remain and conduct the proceedings under it. I at once said; I will allow Mr Tait to remain and instruct the agent for the defendants so long as he behaves in a proper manner. He did remain; and in fact, took, the whole active part in the management of the case in Scotland. I have been thus particular in mentioning these facts, because there has been an attempt to draw an analogy between the present case and some late ill-judged actions that had been brought against some news-venders. I can see none; and, with the explanation I have just given you, I trust you will agree with me.

I trust, gentlemen, that none of you have ever been concerned in an action for libel. I think, that, of all the difficulties in which a man can be placed—of all the means which the law has of harassing a man—an action for libel is the very worst. It is not only the expense and waste of time, both of which are unavoidable; but there is a thousand other things to render it peculiarly annoying. Mr Tait himself has often quoted a late celebrated jurist upon the question of the libel law; I mean the great Bentham. I will also quote a passage from him: not with the intention of reflecting at all upon the court, but merely to shew that he was well and intimately acquainted with the state in which a plantiff was placed, and the means which the law placed in the hands of the other party, that may be used for his ruin. The passage is very short, but very strong. [Here Richmond read a passage from Bentham.]

Language cannot be much stronger than that; yet none could better paint the hardships a man was obliged to encounter, in coming in to an English court of law. It is impossible for any person who has had no experience, or who, like me, has not, unfortunately, a great deal of self-command, to know all the courage required to stand in such a situation as I now do. Placed as I have been, the father of fourteen children, most of them daughters grown up, and ready to enter into all the feelings of distress and hardship inflicted upon their parents, by an unfeeling and censorious world—my situation has been a most cruel one. Gentlemen, you will easily conceive that it was not an easy matter to bear up against such an accumulation of injuries as I have been obliged to do, for the last twenty months, brought upon me and heaped upon me by these parties; who seem to have taken upon themselves the task of ruining me. It was only owing to a consciousness of innocence that I could do so at all; and in the hope that you, by your verdict, will say you are of opinion, as I am, that these are the most atrocious libels that you have ever seen in the English language.

I have to add, that, this day last year, I was professionally engaged in the French trenches under the walls of Antwerp—where there was much to be seen and much danger to be apprehended; but there I was with an unblenched cheek: but no man who has heard me can know the immense difference between the courage which supported me there, and the moral courage which was necessary to enable me to lay my case before you. Physical courage may enable a man to meet death even at the cannon's mouth; but it is destitute of all regard at the hands of a moral being, when compared with the courage necessary to meet such attacks as those you will now have read to you.

I am not aware that I have anything further to add, at this stage of the case. Should I not have an opportunity of addressing you again, I must now express my gratitude for the patient ear you have given to the statement I have thought it my duty to lay before you. There are many details I would have liked to lay before you; but I am now anxious to conclude, for I know I have detained you too long already. To the gentlemen on the other side, I am obliged to return thanks for allowing me to make my statement in my own way; and, in taking leave, I have only to repeat my thanks to all.

MR THOMAS BROWNE, *attorney, examined by the plaintiff.*

Q. Are you attorney for the plaintiff? A. Yes, I am.

Q. Do you produce any copies of *Tait's Magazine*? A. I do; copies of the Nos. for May, June, July, and August 1833.

Q. Where did you purchase them? A. At Simpkin and Marshall's. Mr Marshall and Mr Miles are the partners in the firm.

Cross-examined by MR SERJEANT TALFOURD.

Q. How do you know that Mr Miles is a partner? A. I wrote a letter to him, and got an answer, which I will put in.

Mr Baron Parke. Do you ask him any more about Mr Miles?

Mr Serjeant Talfourd. No, my Lord, I will give the plaintiff no further trouble.

The alleged libels were then put in and read by Mr Walton, the judge's marshal.

Richmond. My Lord, I have now to submit to your Lordship's notice, a point upon which I am not very clear. I have a number of witnesses in waiting, whom I want to call, for the purpose of shewing the position I have held in society for the last ten or fifteen years.

Mr Baron Parke. You have not claimed any special damages. You cannot therefore call them. You must leave the amount of damage as a question for the jury.

Richmond. That, then, is my case.

MR SERJEANT TALFOURD.—May it please your Lordship, and Gentlemen of the Jury, I assure you, most unaffectedly, that I feel great embarrassment in rising to present to you the case of the defendants, from the strangeness of the circumstances in which this claim for damages is made against them by the plaintiff. They are the London publishers of an Edinburgh Magazine; exercising no control whatever over its contents; carrying on their trade at the distance of 400 miles from the place where the work is edited and originally published; receiving its successive numbers by the steam-packet or the mail, towards the close of each successive month, to be distributed among their customers in the ordinary way of business; as incapable of feeling malice towards the plaintiff as the paper on which the journal is printed, and not even conscious of his existence, unless, haply, they may have read his name as connected with a portion of Scottish history. I am aware that Mr Richmond has to-day correctly stated the law to you, with respect to the legal liability of the gentlemen whom I represent before you. I am ready to admit, as the law of libel at present stands—and into its justice or policy we are not now to inquire—that, if indeed there be within the covers of these Magazines produced before you by the attorney for the plaintiff, matter defamatory of the plaintiff, and of which he has a right to complain, the defendants are liable to be sued by him; and not they alone, but every bookseller throughout the kingdom, who may have received them in his monthly parcels, and sent them out by his apprentice or shopman to Mr Tait's subscribers;—nay, that every gentleman and every lady who has lent a copy to a friend—all are, in point of law, liable to be prosecuted for damages at Mr Richmond's suit. But making this admission thus largely, and giving Mr Richmond the fullest benefit of the law as he has claimed it:—granting that,—if he is indeed, as he has ventured to assert on the record, "a good, true, honest, just, and faithful subject of this realm"—a "person esteemed, reputed, and accepted among all his neigbours," as of pure and blameless life, never guilty, nor suspected to be guilty of treasonable confederacy, nor of instigating others to join it—if he enjoys indeed the invaluable possession of an unsullied character, which he comes here to vindicate,—the defendants are liable to be brought here at his suit; I must express my surprise at the selection which he has made, under the circumstances as they now appear in proof before you. Gentlemen, you must pay no attention to mere statements, from whatever quarter they may come; and which, in the present instance, are unproved, and incapable of proof, because untrue. There are indeed many cases, in which, not only according to the technicalities of law, but by the principles of moral justice, a publisher, who, personally unconscious of defamatory matter, assists in diffusing it, may be fitly selected as the subject of an action. That may well be, where the real editor and publisher are unknown, or incapable of making reparation; that may well be, where from the general character of the work itself, seeking to acquire a sale by ministering to a depraved appetite for information as to the privacies of domestic life, the publisher who sends it forth, although not conscious of its particular contents, must be regarded as aware of its purpose. But neither of these excuses can avail Mr Richmond. On the cover of those Magazines is the name of Mr Tait, as editor and publisher in Scotland—in Scotland, where it is written—in Scotland, where it is arranged for publication, and where, in the first instance, it is given to the world; and it is utterly untrue that Mr Richmond has taken any step to make Mr Tait amenable to his proceedings, for what reason you will soon be able to judge. Not only is Mr Tait the avowed publisher of this Magazine, but his name is subscribed to one of the articles from which some broken passages are culled for the purpose of forming one of the counts of the plaintiff's declaration. Nay, more. Mr Tait had been in personal correspondence with Mr Richmond on the subject of the alleged libels, Mr Richmond having written a letter to Mr Tait, requiring the insertion of an article in his Magazine, which was actually inserted according to his desire. Neither can it be pretended, that this monthly publication, more than the Edinburgh or London reviews, is one which a bookseller should receive with peculiar caution: it is a work altogether critical and reflective; one of those periodical publications which the spirit of the age has made the vehicles of much of the feeling, the thought, and the imagination, which were formerly to be sought only in massive volumes. What excuse, then, can Mr Richmond suggest, for passing by Mr Tait, the editor and publisher, and the author of one of the articles, and for selecting these two gentlemen, for whom I appear, his publishers in London? I will tell you why he did so: because he could not venture to bring this question to trial in Edinburgh, or in Glasgow, or in any place where he could prove a publication by Mr Tait, where his character, name, and exploits form a part of the very atmosphere—the moral and intellectual atmosphere—and where he could not have maintained the position of a party slandered, for an instant. But your astonishment at this selection of place will increase, when you find Mr Richmond himself obliged to confess, that he has been placed in a most ambiguous situation; that the outline of the case would leave no other deduction but one, that he was the Spy, (or by whatever other epithet he may think fit to qualify that designation.) And when you find him asserting, that there are certain honourable persons whose names he has ventured to introduce into his various publications, and into his speech to-day, filling high judicial situations in Edinburgh, who, if the action had been brought there, might, by stepping across the street, have afforded him a true vindication; do you think, if he had not felt what would have been the result of an appeal to the testimony of Lord Jeffrey, Lord Cockburn, and Lord Meadowbank, had he called them to prove that he had asked their advice in reference to the position in which he stood—that he was in constant communication with them——that they had approved of his extraordinary career, and that from time to time they had sustained, supported, and comforted him—he would not have laid his scene where he might have called them, or defied us to call them, instead of contenting himself with that parchment character which he has in the record, and seeking to stand as a mere human abstraction, far from the place where he might have read his history in the eyes, and felt it in the half-suppressed exclamations of his fellow-countrymen?

But let us look a little beyond the immediate parties to these publications; and when we have exhausted our wonder that Mr Richmond should have selected the London publishers instead of Mr Tait, whom he himself had personally libelled in the letter he had addressed to him, and which Mr Tait had printed—let us see whether the source of astonishment will not be found deeper, and inquire whether, if Mr Richmond had wished the vindication of his character, he should not long ago have attempted it, by bringing his action against others. The first of these articles, from which all the rest proceeded, is in fact no other than a review of a work which had been in circulation for upwards of twelve months before it was thus made the subject of criticism. At Glasgow, or the scene where the transactions occurred, there had appeared, in a succession of fifteen numbers, a work professing to give a history of the operation of the Spy System in Scotland, the heading of all of which, except the first, is, "Exposure of the Spy System," "Exploits of Richmond," perfectly well known to be written by a gentleman named Mr Peter M'Kenzie, first sold in numbers, and ultimately collected in a volume, which had been published for twelve months in a complete form, and which was referred to as the immediate source from which he matter of these articles were supplied. Is a man to

suffer publications of this sort to circulate in a city, where, as he himself has told you, he has many friends and relations living, and with the existence of which he must therefore have been well acquainted; is he to allow the public to take such works for granted, to permit their statements to grow into history; and, when the reviewer shall refer to them as unchallenged, as uncontradicted, as notoriously true, to turn round on the writer of the review, much more on the London publisher of that Review, for the purpose of gaining the main object, namely, to escape from all inquiry in Scotland, by laying his action in London; where those whose evidence was most material, filling high judicial situations in Scotland, were incapable of being served with the compulsory notice of this Court, or of quitting their duties? Is not the conclusion obvious?

But that is not all. Even the publication of 1832 is not the first publication on the subject of Mr Richmond's exploits; nor is the author of that publication the person against whom Mr Richmond has most cause to complain. He, who now comes before you to represent, that it is hard that the iniquities, admitting they were such, of fourteen or fifteen years since, should now be dragged from that which he would represent as oblivion, well knew, although the care of my learned friend who has assisted him, prevented him from alluding to it as his evidence, that there was another book, first published in the year 1824, which passed through a second edition in 1825, which is now lying before me, the author of which Richmond ought to complain of, if he has a right to complain at all—and that author is Mr Richmond himself! Gentlemen, I hold in my hand the work of this person who would resent all commentary on his conduct as a violation of that immunity which he would claim from the lapse of time; a book, passages of which I shall give in evidence before you on the part of the defendants, proving it to have been published by Mr Richmond's own authority; to which repeated reference was made in his address to you, as well as in the articles themselves, and which I undertake to shew, when fairly considered, proves almost every charge suggested in the articles in question. The book, gentlemen, is thus entitled—"Narrative of the Condition of the Manufacturing Population, and the Proceedings of Government which led to the State Trials in Scotland for Administering Unlawful Oaths, and the Suspension of the Habeas Corpus Act in 1817, with a Detailed Account ——" Now, hear a gentleman about to disclose the secrets of the prison house; who, though he comes here to-day, to speak in the highest terms of the Government of that time, and assert that they did nothing improper as connected with the State Trials, yet, at the moment when he found they would not recognise the claims he made upon them, publishes this book, and professes to give an account—of what? "OF THE SYSTEM OF ESPIONAGE adopted at that period in Glasgow and its neighbourhood." Who was the hero of this "System of Espionage," if not Richmond himself? There is not another person suggested as having been connected as agent with that system, except Richmond; and he is the Alpha and Omega of the work. If it is not the confession of a man turning round on those who employed him, the use of the word ESPIONAGE is unaccountable, and the book has no meaning, no sense, no object on earth. What were the precise circumstances under which this book was written, it is not for me to explain. It is a very curious piece of autobiography; written, in many respects, with considerable ability; and certainly justifying what is said of it in one of those articles, that it exhibits a singular example of the aberrations of the human mind. One thing, indeed, is clear; that, at the time when Mr Richmond published this book, in 1824, he had been urgently importuning Government to give him an ample compensation for the important services which he had rendered, and was dissatisfied with the payment he had obtained. He complains in it that Lord Sidmouth confounded him with Castles, Oliver, and Edwards, "not possessing a sufficient portion of metaphysical *acumen*," to distinguish between the high moral agent at Glasgow, and the more vulgar instruments in England. Having rejected the opportunity of settling at Algoa Bay, with such provision as had been made for those who had assisted Government after the same fashion; having claimed, as indemnity for losses sustained, extraordinary sums, though he pretends that he had spurned indignantly the first offer of recompense; after urging his friends at Glasgow and their correspondents of the Home Office in a series of importunities, which he himself illustrates by the celebrated lines of Spencer:—

"Full little knowest thou that has not tried
What hell it is in suing long to bide," &c. &c.

Mr Richmond, dissatisfied with his reward, voluntarily, unabashed, disregarding those domestic relations which he has thought fit to plead before you to-day, becomes the historian of his own exploits, with a view to confound his own employers, as the very title of his book implies. It is true, that, in the course of his Narrative, we find that which often happens when persons engaged in irregular and improper transactions are impelled to disclose them—that, although they really mean, when they begin, to convey the whole truth, yet, when they enter on the details of their own conduct, there is some reservation—some palliating modesty; and, in the case of a person used to literary composition, some gossamer veil of language, possibly concealing, even from the writer himself, the full hideousness of his own actions and motives. That is the clue to the manner in which Richmond represents his own conduct in the work before me. But, gentlemen, supposing that these inferences were not correct—supposing that Richmond, "pure in the last recesses of the mind," in spite of the filthy work in which he confesses himself to have been engaged—not only of communicating with those whom he was to delude on the one hand, and those who corresponded with the Government, to whom he was politically opposed, on the other—but of organizing a band of inferior spies, who were not to know him or each other—granting that we are wrong in the inferences we have drawn from this work—that there are some secrets in his moral nature by which such conduct may be justified or palliated; is it not monstrous that a man, who thus publishes himself to the world—appealing to public opinion as to a jury, and declaring, "by that tribunal I will be judged,"—should afterwards turn on those who accept the challenge—who try him upon his own admissions, and refer to them as the ground-work of their judgment—and make their publishers the subjects of such a prosecution as this? We all know that when an author publishes a book, he offers it to the fair and legitimate criticism of every individual of the public to whose judgment it is addressed. If, indeed, it is a work purely literary—if it has no relation to the personal character of the writer, we have no right to introduce that character into a discussion of its merits. That character remains as it was before, a sacred thing. But when a man publishes a book, of which himself is the hero—when his appeal is not made to your intellect, but to your moral sense and feeling—when his conduct is the theme proposed, he as much publishes that conduct, and makes it as fair an object of commentary, as the dramatic propriety of a fictitious person. We know that greater men—men of whom it is almost sacrilege to speak in the same breath or in the same hour with the plaintiff—men by whose genius mighty and lasting effects have been produced on human society, impelled by a wayward desire to make public their most secret thoughts, or by intense and too vivid consciousness of the progress of their own being, have laid open to the world the inmost recesses of their natures—have made it intimate with the most strange and secret workings of their minds—and have rendered almost the beatings of their hearts audible to the general ear. And if we were called on to deal with such a case—if, instead of tracing the sinuous and slimy course of such a person as has presented himself before you, and threading its labyrinth of self-deception and half-conscious falsehoods, we had to track the airy flights and excesses of genius—if we had to judge of the confessions of a Rousseau instead of a Richmond, could it be endured that an author, after publishing a work on himself, either with tremendous fidelity or treacherous disguise, should complain of the judgment he had courted, as a libel? Does this work condemn Mr

Richmond, or absolve him? If it condemns him, with what justice can he charge those as libellers who only repeat that which he himself has printed? If it acquits or excuses him, then the charge of malice fails; for the antidote is furnished as well as the bane; for, to this very book—to Richmond's own Narrative—does Mr Tait refer as the principal authority for the charges contained in the work reviewed—that very narrative, to the perusal of which Mr Richmond invited all his fellow parishioners of St Luke's, among whom he was pursuing a career of benevolence, rarely seen in these unchivalrous days—as exposing the falsehood and malignity of those who had presumed to impugn his lofty and disinterested character. "Go," says Mr Tait, in effect, "to Richmond's own Narrative; it is published by Miller in New Bridge Street, Blackfriars: there you may obtain a copy of the Book; there you may read of the Patriot Spy, and enjoy the picture of his exploits, presented through the most roseate medium, by the hero of the tale." If Mr Richmond's case is just, thus would his innocence be advertised. The inquisitive reader would perceive how strongly the world had misconstrued unusual goodness; and nothing would remain but wonder at the audacity which would not only represent immaculate virtue as a most degraded thing, but refers to the very materials by which the uncharitableness and the envy of the critic must be exposed once and for ever!

Having thus introduced to you the plaintiff's work, I will shortly sketch out the outlines of the scene in which he figured, before I trace the several steps of his progress, which I shall do from his own Narrative.

We all remember that, in the commencement of 1817, an attack was made in London, on the Prince Regent, in returning from the House of Lords. Considerable excitement prevailed, both in consequence of that attack, and of some alleged conspiracies said to exist in Scotland, in Derbyshire, and in other parts of England; and a secret committee of the House of Commons was appointed, for the purpose of ascertaining what means it might be necessary to adopt, in order to strengthen the hands of the executive government, on an occasion when it was suggested that the ordinary weapons of law were not sufficient to enable them to repress the impending danger. One of the circumstances which at the time produced a strong impression, was a communication made by the Lord Advocate of Scotland, asserting the existence of a traitorous confederacy in the city of Glasgow, bound together by a most dreadful oath. Shortly before this period, I think on the 29th of October 1816, there had been holden a great meeting at a place called Thrushgrove, for petitioning Parliament and the Prince Regent for a reform in the Commons House of Parliament. That meeting was attended by Richmond, the plaintiff, who did not speak, but who was afterwards heard to regret that he had not taken a prominent part in its proceedings. It was attended by upwards of 40,000 persons; which, in a dense manufacturing population, of course excited, at a time when all free discussion was deprecated as endangering the government, great alarm and interest in the minds of the conservators of the public peace. It had been suggested that a more secret conspiracy existed; and on the 22d February, a number of persons were seized, at the instance or with the concurrence of Mr Kirkman Finlay; who was not at that time chief magistrate of Glasgow, but who was member of Parliament for the city, who had been in the magistracy, and who possessed great local influence. By his advice, and by that of Mr Reddie, the town-clerk, a number of persons were seized, and committed to Edinburgh Castle, to stand their trial, on charges of treasonable practices. In due course of time, proceedings were taken against them. According to Mr Richmond, the proceedings were several times frustrated; the indictments being laid under some new statute, and objections having arisen, on which the Crown lawyers were defeated. On another occasion, when a person of the name of Andrew M'Kinlay was put a third time on his trial, a witness was produced, of the name of John Campbell, who was expected to give evidence that should bring home guilt to the prisoner. The dramatic effect of the catastrophe, by which the prisoner and all the parties accused were saved, was striking. In Scotland, the witness is interrogated, before he gives his evidence, "Whether he has received any reward, or promise of reward, for the evidence he is about to give?" and no doubt was entertained that the accomplice, when called, would answer in the regular course, and prove the case for the prosecution. But when that question was proposed to him—to the utter amazement of the counsel for the crown, the man at once replied in the affirmative, and proceeded to give a detail of the circumstances which he said had occurred, and of the parties who had practised on him. The prosecution, of course, was abortive; the prisoners were acquitted; and the whole proceedings entirely failed. No thanks, allow me to say, to Mr Richmond! No thanks, according to Mr Richmond's own statement, to the forbearance of his friends, the crown lawyers! For he has told us what might have been expected from their success. I now quote, from page 203, a passage of Richmond's own Narrative, copied thence into the Magazine, but which he has not thought it prudent to include in his charge of libel. He says, "As I had frequent opportunities of unreservedly hearing the sentiments of the crown lawyers during the progress of the trial," (I shall have a word or two to say upon this by and by,) "I will state the impression produced upon my mind, as to the original intention of the measures pursued. Had they, in the first instance, succeeded in establishing the administration of the oath, of which they entertained no doubt, *two or three would have been sentenced to capital punishment, and a number more to transportation.*" Coolly said, for a person friendly to the prisoners, and stipulating that they should get off free. "And had the circumstances which I have related not intervened, I have no hesitation in saying, that their sentences would have been carried into execution." Here is Mr Richmond's statement of the fell intentions of his employers, when he has failed to obtain the reward which he expected—of Mr Richmond, who would have us believe that his sole object was quietly to disperse rebellion—who was prompted purely by all that was noble in romantic virtue—but was nearly bringing his disciples to such a doom. He will have to thank God to his dying day, that he has not their blood to answer for!

This being the outline of the facts which are admitted in the cause, I will now conduct you into the secret history of the plot, as unveiled in Richmond's own book; stating to you, as I go on, the manner in which it will be varied by the evidence which I shall give, on the darker parts of the transactions. He commences his Narrative, as he did his address to you this morning, with a mass of general disquisition, the precise object of which I am somewhat at a loss to understand. There can be no doubt that a great deal of discontent existed at the time among the manufacturing population of Glasgow, Paisley, and the neighbourhood; but what the remedy was which Mr Richmond would have applied, he does not precisely inform us. Perhaps this vague disquisition may be best explained, as proceeding from the decent hesitation which a man not wholly abandoned feels, when trembling on the brink of a disclosure which involves his own deep and everlasting shame. Be that as it may, Mr Richmond, after thirteen pages of general discussion, opens thus; and you will observe throughout a studied ambiguity, which he has also laboured to preserve in his address to you to-day, as to his original vocation, introducing himself as a respectable person, but spurning altogether to inform you of the precise situation which he filled when he entered on his public life. "At this period," he says, "I began to take an active interest in promoting these objects; and although the personal pronoun may be offensive to many, as it is disagreeable to my own feelings, it is necessary, for a right understanding of transactions in which I filled so prominent a part"—that is, Gentlemen, the system of espionage adopted at that period in Glasgow and its neighbourhood—"that it should be used without reserve; and that names, dates, and circumstances should also be particularly condescended upon." Now then he describes himself:—"With a proportion of speculative and experimental knowledge

at least equal to my situation," which he does not explain, " and a decided friend to popular rights, I had, (by residing some time in Ireland,) witnessed the condition and been enabled to form a judgment of the degradation resulting from the mass of a population being pressed down to the lowest species of food; and conceiving that causes were in active operation which would soon place our manufacturing population in a similar condition, I considered it my duty,"—now remember that, when considering the honesty of his application to Lord Sidmouth —" to lend my assistance to preserve them from a fate which appeared to me inevitable. I entered into the measures of the period with avidity and enthusiasm,"—no one can doubt what he means by that—" and with sanguine hopes as to the practicability of the scheme; but with those who had entertained similar opinions, found, in the sequel, that we had overrated our powers." He then gives an account of the attempt made by the weavers to resist their masters; which, however, is not material, except as introducing him to Mr Kirkman Finlay. He then proceeds—" I was appointed one of the members of the committee for the operative interest; which was the first cause of bringing me in contact with a gentleman, and led to a connection which (whether intended by him or not) has had a powerful and injurious influence over my future destiny." Then he gives an account of the conferences he had with Mr Finlay. " Kirkman Finlay, Esq. the gentleman alluded to, was a member of the opposite committee; in extensive business as a merchant and manufacturer; highly esteemed for his extensive commercial knowledge; at the time president of the Chamber of Commerce of Glasgow, and had been a magistrate of the city. He was perfectly conversant with all the writers on political economy, and his opinion was directly opposed to restrictions on trade or on the price of labour, under any modification; for which reason he had been appointed, as were most of the others on the same side. From 1809 I had been active in promoting the association formerly mentioned, the organization of which had been now nearly completed, and had taken a lead in the application to parliament in 1811, which had given me a considerable degree of popularity. The committee, of which I was a member, consisted, with one or two exceptions, of practical men, acquainted only with the technicalities of their trade, and had no knowledge of the general theory upon which the arguments of our opponents were chiefly founded. The conference and debate took place in the council-chamber, in the presence of upwards of twenty magistrates of the county and city. On our part," you see how the parts are cast here, " the weight of the discussion, on the abstract points, fell upon me, in reply to Mr Finlay; and at the close of the debate, (after paying me some marked compliments,) he requested me to call upon him, privately, at his own house, for the purpose of discussing some arguments I had brought forward which he was not at the time prepared to answer. He said he had formed so favourable an opinion of me, that if I would point out any way in which he could be of service in promoting my views in life, I might fully command his interest, as he would feel great pleasure in exerting it." You will see immediately how tremulously delicate Mr Richmond was. " I replied, that I felt obliged for his good opinion: but as I appeared there as the representative of a numerous and suffering body, it was necessary for me to retain their confidence," (" Coming events cast their shadows before," and he sees a faint dawn of that situation which he was afterwards to fill,) " to enable me to perform my duty and fulfil the trust they reposed in me; and as I could not do so were I known to have private conferences with a gentleman of his influence, who had declared himself so decidedly hostile to their claims, I must decline meeting him anywhere but in public, until I ceased to hold an official situation. Mr Finlay never appeared again in the committee, and I had no farther intercourse with him until November." Such, according to his own statement, was his first introduction to Mr Finlay; the gentleman who appears here as his " opponent," but who nevertheless felt great anxiety to promote his views in life. How little Mr Kirkman Finlay was one who, for an honest purpose, would be disposed to serve Richmond, you will better be enabled to judge when you hear the sequel. Mr Richmond, I should tell you, not by way of disparagement in the smallest degree—had he proceeded in a fair, honest, and virtuous course of life, it might have been greatly to his credit—Richmond had served his country as a private soldier; and subsequently, at the time of his conferences with Mr Kirkman Finlay, was employed as a common hand-loom weaver; and thus possessing considerable talent, plausibility, and address, he had been elected a member of the committee of operative weavers, the delegate from a place called Pollockshaws, to the committee in Glasgow. In that capacity he had the conferences with Mr Finlay. The result, however, was unfortunate. Without meaning to impute any blame to the strike which followed, and without giving any opinion as to the degree of moral virtue or guilt which attended it, such was the situation which Richmond occupied, and for which he had rendered himself amenable to the laws of his country. The Whig leaders of the Scottish bar had generously come forward to defend the operative committee, and among others, Richmond; but as he states, by their advice, (whether true or false,) he fled; was subjected to the process of outlawry; and subsequently returned, in a condition of the utmost misery, for the purpose of standing his trial. It is of the utmost importance here, as a statement to the contrary, unsupported by proof, has been made to you to-day by the plaintiff, who would fain have you receive him as a witness in his own case; that you should observe the state of destitution to which he was reduced at this period. Gentlemen, he who represents himself now as a person indulging in a flight of most romantic benevolence, without expecting or looking for, and, indeed, disdaining reward, had been outlawed; had been in banishment; and so ill requited, that you find him complaining more than once of the operative weavers not subscribing their shillings, and leaving the committee in debt; so that his patriotism, up to this period, had not improved his pecuniary condition. He, subsequently, as I have said, returned and took his trial; and you will find that, so far from Mr Kirkman Finlay, his generous opponent, being disposed now to support and assist him, that gentleman positively refused to do so. I will here read you a passage from page 41 of Richmond's own Narrative, from which it will appear that Kirkman Finlay declined to interfere on his behalf, and left him to his fate:—" To get out of the jurisdiction of the Court, I proceeded to Lancashire; where I had only remained a short time, when proclamations were published, offering a reward for my apprehension. I, however, received information, in sufficient time to enable me to proceed to Dublin, in the neighbourhood of which I remained until near the end of the year. At the suggestion of several gentlemen of respectability in Glasgow, I then returned privately to Scotland." It is quite extraordinary what interest hangs about the progress of this gentleman. " Things having resumed their former course, as the proceedings came to be more coolly considered and better understood, their injustice became apparent; and it was the opinion of those gentlemen, that it only required a proper representation to the crown lawyers, to get the sentence of outlawry rescinded. They also considered Mr Finlay, from his official rank and influence, as well as from the opinion he had professed to them to entertain respecting me, the fittest person to make the representation; which they would second, if necessary. In this, however, we were disappointed; for, in answer to my application, he informed me, that he considered me highly culpable for acting as I had done, but more particularly for neglecting my own interest;" a charge, by the way, which can hardly, with any shew of fairness, be now imputed to Mr Richmond; " and as he did not think I had undergone *sufficient punishment*, he must decline all interference. Farther explanations followed, both by myself and the gentlemen interested on my account; but all I was able to obtain, at the end of several months, was a kind of general assurance, that if I would keep myself private and not interfere in public matters, no proceedings would be taken against me. During all this time I was separated from my family, being only able to visit them secretly;

treated with ingratitude by those for whose interest I had suffered; harassed and worn out by anxiety of mind; ruined by the expense I was subjected to." What property he had to lose, I know not: but of all he was possessed of, he had, it seems, been deprived—"ruined by the expense I was subjected to, in removing from place to place; my health sunk under it, and I was confined to bed for several months." He then goes on to state, that Mr Campbell of Blythswood advised him to return. "I recovered a little in the summer of 1814, and finding I could get into no situation in business, with the sentence of outlawry suspended over my head, and Mr Finlay shewing no disposition to interest himself farther, I applied to Mr Campbell of Blythswood. This gentleman was a relative of the late Archibald Colquhoun, Esq. then Lord Advocate, and afterwards Lord Register of Scotland. He had no personal knowledge of me: he only knew me by my conduct in the election at Rutherglen in 1812: but the moment I explained to him the nature of my situation, he zealously espoused my interest, and persevered with a degree of devoted attention seldom to be found in men of his rank in life. Various causes, however, prevented me from getting reponed against the sentence of outlawry until the beginning of June, when I was admitted to bail, and served with an indictment to stand trial before the High Court of Justiciary, on the 26th of the same month. Mr Campbell, Mr Cockburn, and Mr Vans, made all the necessary arrangements to enable me to meet the case in the most respectable manner, but the trial was not proceeded with." It may be perfectly true that Mr Cockburn had taken an interest in his favour, as will naturally arise out of the relation of counsel to a client, in cases of great excitement and sympathy, and therefore he was disposed to exert himself zealously in Richmond's cause. The result was, that "Mr Cockburn made a very forcible appeal to the feelings of the Court, on the extreme hardship of my case; when I received sentence of one month's additional imprisonment. The Judges were not now so much under the influence of terror and alarm; and, in giving their opinions, they admitted the singularity of the case; said that no moral guilt could be imputed to me;"—how extraordinary it is, that Mr Richmond should pass through scenes of so much suspicion and defilement without the slightest moral contamination!—"and expressed themselves highly satisfied with my general conduct and character; but, as a matter of political expedience, they considered it their duty to put down all such attempts." It was then proposed that he should set up a commission warehouse at Edinburgh or Glasgow, being then, as I really believe, disposed to seek some means of properly maintaining his wife and destitute children; but the market being completely glutted, that scheme did not answer. Under these circumstances, he was brought into contact with Mr Owen, whose enthusiastic schemes for the improvement of society are now generally known, and will be variously estimated according to the opinions and feelings of individuals, who will, however, concur in admiring the honesty and the constancy of his purpose. According to the statement in this book, you would be led to imagine that the office it was proposed he should fill under this gentleman was one of great emolument and trust; but, so far from that being the case, I will prove to you that the amount of salary which Richmond was to receive from Mr Owen for the office which he was intended to fill, but which was prevented by the disclosures which subsequently took place at Glasgow, was the munificent sum of £50 a-year. Why do I dwell on these circumstances? Is it for the purpose of insulting the poverty in which Mr Richmond was then involved, or for the purpose of imputing it to him as a crime? Far from it; I am only presenting to you the circumstances of utter poverty and destitution in which he was, when, he would now have you believe, that, without the prospect or promise of reward, he entered into his secret communications with Mr Finlay, on the one hand, and with the deluded reformers, whom he was afterwards to betray, on the other. He then proceeds to give a picture, which, I have no doubt, is perfectly correct, of the state of Glasgow and the neighbouring manufacturing districts. at the period referred to; and, certainly, one might have hoped that Richmond, of all others, should have felt that suffering was a sacred thing—that it was a great and heavy crime to ply that suffering with temptation, in order to stimulate it to crime. "The concatenation of events, which I relate, being nearly a piece of autobiography, it is possible I may mistake, and consequently mis-state, some parts of my character; self-love may make me practice self-deception, and prevent me from penetrating deeper than the surface, in the relation I may give or the judgment I may form of my motives; but an intentional or unintentional perversion of facts will carry with it its own corrective and antidote; for, with a single exception, the parties are all alive, which will constitute a pretty fair standard of adjustment, and to the tribunal of public opinion I fearlessly make my appeal. To give an idea of the state of the manufacturing districts, and before proceeding with my personal narrative, it will be necessary to take a retrospective view of public events, for some time previous to the end of the year 1816. Our seclusion from the continent, under the operation of Bonaparte's prohibitory system, had exhausted it of British manufactures; and the partial openings, effected by his reverses in the campaign against Russia, produced a brisk demand for all kinds of British goods. The hopes of our merchants and manufacturers were highly elated, and without considering that countries, so long ravaged and impoverished by oppressions and wars of unparalleled extent and duration, could have no equivalents to give, they imagined, that, if we could only get rid of the illegitimate Usurper, the consumption and demand for British produce and manufactures would be inexhaustible. Speculations and consignments, to a vast extent, were made to every accessible part of the continent, and, for a time, everything seemed to go on well. No sooner, however, was the fate of that extraordinary man sealed for ever, ere yet the grass grew upon the graves of our countrymen who had fallen to restore Europe to the fostering and parental care of legitimate thrones, and while yet the sound of the blood-stained laurels of Waterloo was reverberating from one end of the empire to the other;"—you see his principles here, no doubt; but how could they consist with an honest and secret relation to Lord Sidmouth? That was hardly the way in which that battle should have been spoken of by a sincere friend to Lord Sidmouth's administration;—"our merchants were bankrupts, our artisans and mechanics were starving, and betraying an ignorant impatience of the misery they were suffering." I think he must have got that phrase from those with whom he was in secret communication; for "ignorant impatience," is no favourite phrase among the reformers. "The hopes entertained, on the opening of the American ports, in the beginning of 1816, proved equally fallacious; and, in the summer of that year, the distress had become so great, that a general outcry was raised for the reduction of the public burdens." He then proceeds with some general discussions, which I shall not read; I must not, however, omit one passage, to shew you the acquaintance which Richmond possessed with the state of the labouring classes, on whom he was now preparing to practise. "In Glasgow and its neighbourhood, the condition of the great mass of the labouring population was indeed truly deplorable; many thousands were altogether out of employment, and speculation on the price of labour was carried to such an unprecedented and unprincipled extent, that those who were employed, if they had families, could not, with the utmost exertion, command as much, even of the very lowest garbage, as support life. Reckless, hopeless, and desperate, they considered no change, not even anarchy itself, could render their condition worse." Such was the theatre on which he was about to act. He was well acquainted with all its secret passages. He well understood all the avenues of suffering, and all the pulses of agonies, on which he was about to make his most iniquitous experiment. "My situation afforded every opportunity for making observations; my business brought me in daily contact with people of all classes and opinions. I had an opportunity of knowing the situation of the merchant and master manufacturer, and the miserable condition to which the labourer was reduced. There was not a manufacturing town or village in Scotland with the situation of which

I was not acquainted, and few where I had not some direct correspondence. As early as the month of June 1816, conscious of what was approaching, I published letters in one of the Glasgow newspapers, pointing out the necessity of the higher classes making provision to relieve the distresses of the labouring population, before the approaching winter should drive them to desperation. Scotland, having no regular poor's rate, rendered such a measure essential, and was preferable to enforcing parochial assessments; but the amount of the distress was not credited, and no steps were taken to alleviate it, until what I had predicted had actually taken place. As to my opinions on reform, I was a friend to the extension of the elective franchise; but time and experience had taught me moderation, and having previously suffered in the popular cause, I neither considered it prudent, nor felt any disposition, to take a lead in that question. My name was, however, upon the list of the committee, and I was personally acquainted and in habits of daily intercourse with the gentlemen who were active in conducting the petition from the city of Glasgow." Then he speaks of Mr Finlay, with whom he was to be brought into close and solemn league. "Mr Finlay continued to occupy a seat in the House of Commons: all the magistrates looked up to him and were under his influence. He filled no official civil situation, but, in consequence of the general imbecility, in conjunction with J. Reddie, Esq. advocate, assessor for the city, he had, *de facto*, the whole local government; and, in addition to the regular channel of communication with the law officers of the crown, corresponded directly with Lord Sidmouth, the Home Secretary of State. Such was the state of the country and my situation at the end of 1816." Richmond then states that he waited on Mr Finlay, who, he says, received him with marked coldness, but afterwards perceiving, as if by a sort of intuition, the circumstances of the man, changed his manner, so that Mr Richmond applied to him that celebrated passage from "A New Way to Pay Old Debts," in which Sir Giles Overreach expresses his readiness to serve Welborn in his reviving fortunes.

You have then this desperately ruined person, as he states himself to be—you have him the recent outlaw—just discharged from prison—presenting himself to Mr Finlay, not the regular chief magistrate of Glasgow, but a person of great local influence, to whom, with Mr Reddie, had been entrusted the working of the secret machinery for sustaining the public peace; to whom, in spite of his insensibility to his distress, he now makes his way, for the purpose of procuring employment. Here is the account of their first interview, and if they spoke out so plainly as this, they spoke out more plainly than a good diplomatic agent should have done. "The meeting of Parliament in which the Habeas Corpus Act was suspended, was approaching, and exertions were making, in every part of the country, to have petitions for reform ready to be presented as early as possible after the opening of the session. It was in contemplation to request Mr Finlay to present and support the prayer of the petition from Glasgow, and to this subject he turned the conversation." Somewhat strange, if he were in communication with Lord Sidmouth, judging from the violent opposition of parties, of which, when we throw our minds back into the agitation of that time, we can hardly revive a sufficiently vivid picture. "After some general remarks on the prevalence of opinions in favour of reform, he, in a very imposing and emphatic manner, asked me to answer him, upon my honour, if I was not aware of the existence of an extensive and widely-spread secret conspiracy, for the avowed purpose of overturning the government." That is what we call at the bar a leading question. It seems to me as broad a one as could well be put to a person who was known to be on the other side, and who had come to Mr Finlay in circumstances of the greatest destitution. You will see how the dialogue proceeds. "*I solemnly assured him I was not;* nor did I believe anything of the kind existed in Scotland; and, at all events, if it did, it was unconnected with the proceedings of the reform party, everything they intended being openly and publicly avowed; neither did I believe it possible a thing of that kind could go to any great extent, without coming to my knowledge; for, from the nature of my connections, (although I might not be solicited to become a member of such an association,) I was convinced that, from one quarter or another, I should have heard of it, or been consulted as to its practicability. He then assured me that government had the most positive and undoubted information of the existence of such a conspiracy, although they did not then know all the particulars, but were certain that many thousands, in Glasgow and its neighbourhood, were engaged in it; that he believed there might be many things wrong in our system of government, but there was no possibility of amending them by such means; that, relying on my *good sense* and general knowledge of the population, he had made the communication to me, it being in my power to render a most important service to society, and a duty incumbent upon me, to use my influence and make *every exertion to suppress it.* I observed I was still sceptical as to its existence, and, at all events, was not such a sciolist as to believe it had gone to the extent he had represented; that I was equally convinced with him of the absurdity and utter hopelessness of doing any good by such means; that I considered nothing could better serve the purpose of the ministry, and those opposed to every species of reform, than such an attempt." I pray you observe this, and contrast it with the statement of to-day, that the ministry would have repudiated it, and not have taken advantage of a sham over-charged plot. "It would serve as a pretext for throwing discredit on its advocates, and quashing the demand then so generally made, which, from its universality, if moderately and temperately conducted, afforded hopes of succeeding to some rational and practicable extent; that, for the purpose of disappointing them, but more especially to prevent those *who were starving from becoming the victims of such delusion,* I would do everything in my power—adding, if it existed at all, it must be confined to that class of society whose situation I had described; that I might not be able to learn particulars, but felt confident that I could soon ascertain the general fact; and pledged myself to let him know the result of my inquiries, whether they were confirmatory or contradictory to the information they had received." So ends the first scene of the drama, as far as Mr Finlay and Richmond were concerned. You will observe there is no suggestion in all this, how Richmond was to find the means of living while conducting his patriotic inquiries; but this is as far as he chose to let us into the secret of his communications at the time. He then gives a statement of the correspondence which the reform committees were keeping up. "The various suburbs were petitioning separately; but, as their committees were composed of the more intelligent class of workmen, I entertained no suspicion of them. The management of the applications for parochial aid had fallen into the hands of some furious profligate fanatics, with just a sufficient portion of ability to give them an influence over the very lowest class, who, from positive sufferings, believed they could save themselves from drowning by grasping at a straw. They had been holding tumultuous meetings in the suburbs, and it immediately occurred to me, that, if anything foolish or imprudent was going on, it was amongst them; and to that quarter I directed my inquiries, and soon found my conjectures confirmed. I was personally known to the greater portion of the labouring population, and was fully aware of the *impropriety of appearing publicly amongst them.*" So that even the virtuous, honest, patriotic Richmond, was not to appear amongst the conspirators! He was to walk unseen, and direct other and less dangerous agents, for the purpose "of plucking out the heart of the mystery" from those he was afterwards to betray. "I therefore determined to confine my inquiries to a single individual, who, I had reason to suspect, was acquainted with the real measures contemplated; and depended upon my own address for getting to the bottom of them. The man I selected for this purpose was an operative weaver, of the name of M'Lauchlan, who was not previously known to me." Gentlemen, allow me to say that name will become very important when you know what M'Lauchlan swore immediately after the confede-

racy had been broken up. "He was in extreme poverty" —Richmond knew well where to look—"and had been taking a lead at the meetings held for enforcing their claims upon the parishes. With very little difficulty, I soon learned his view of the matter: he informed me that the people had been tantalized with hopes of relief, until they were reduced to despair; that they were now convinced everything depended upon themselves, and they were determined to take measures to redress their own wrongs; that a secret organization had been some time before entered into for that purpose; and that the public meetings were held to give them an opportunity of operating upon the minds of the people, and, under that cover, to enable them to make proselytes. He boasted of the extent of their numbers and resources, and directly threatened, that, if those men (myself included) who were capable of influencing the people would not come forward and direct their measures, they would not long have an opportunity; it being determined not to allow them to do so afterwards, and to punish such as remained neutral. I could not, at that time, press my inquiries, to obtain a knowledge of particulars; but told him, the people ought to beware of committing any violence, which would only bring destruction upon their own heads; and cautioned him against letting any of his colleagues know that he had made such a communication to me."—The time for developement is not yet come.—"I did not give credit to everything this man told me, but I could not allow myself to doubt the general fact, that an organization was in progress. I believed that, on the part of government, a greater alarm had been excited than there was any just ground for; while, on the other hand, it was evident that a part of the policy of the other party was to exaggerate the amount of their numbers and means, for the purpose of gaining an accession of strength. I knew, however, the materials were inflammable, and only required ignition to produce an explosion; it was, therefore, the impression upon my mind, that no time was to be lost, in taking measures to prevent the conflagration from bursting."

Now we come to the second act of the drama. He has applied to M'Lauchlan; he has opened his channel of communication with the poor, desperate, starving reformers, with whom his own condition should have taught him sympathy; and now he goes on to say, "Agreeable to promise, I communicated what I had learnt to Mr Finlay;"—he merely goes and gives him the little hint of the conspiracy—"without letting him know the source from which I derived my information, farther than from what class of society any danger was to be apprehended; and advised that every exertion should be made to relieve their distress, as the best means of lessening the influence of those who were attempting to mislead them. Mr Finlay again urged it upon me, as a duty, to lend my assistance in preserving the public peace; when I told him, as I did not believe there was any immediate danger, before condescending upon any detailed measures of prevention, it was necessary to ascertain the actual progress of the organization, which I recommended should be done without delay, when I would render any advice my knowledge of the country and population enabled me." On the 18th December, these conferences having gone on so far, and having now opened his communications with the reformers, Richmond goes to Mr Owen of New Lanark, for a situation at the sum of £50 a-year. But Mr Finlay's employment was a much better thing; and the negociation with him was kept open during all the time of his absence: for, though I cannot prove exactly what payment he received, I will shew that it amounted, at least, to "several hundred pounds," according to his own book. We have now arrived at the 22d December, and then he says, "Mr Finlay had requested me not to close finally with Mr Owen during my visit, and wished to see me immediately on my return. I called upon him the same evening, and, after disposing of the subject of my visit to Mr Owen, he recurred to public affairs. He said they had made no progress in gaining information *during my absence*; and the consternation and alarm were daily increasing among the higher classes, in consequence of the threats held out, and the menacing appearance the people had assumed; that it was impossible to impose any check, without ascertaining who were the leaders; and he considered my personal assistance was essential to enable them to do so. I answered"—This is what he relies upon; and only conceive the importance of it, when you consider where he has thought fit to lay the scene of this trial—"I answered that, however necessary he might consider my assistance, it was a matter which might involve too serious consequences for me to engage in, without consulting my friends;"—You see the plot has already assumed a deep tragic interest;—"and I, therefore, wished to refer to Mr Cockburn and Mr Jeffrey for their opinions. To this proposition, however, he strongly objected." Why? let us see why? "He said that, confiding in my honour, he had intrusted me with an important state secret, believing it was in my power to render a very important service to the country; and, although the gentlemen mentioned were honourable, upright men, and might make no improper use of the information, their political opinions differed from those who had the government of the country in their hands, and it would, therefore, be highly improper to let them know anything of the matter." Why, so did Richmond's own political opinions. They differed more widely than those of Mr Cockburn and Mr Jeffrey from the existing government. He had gone farther than they: he had been present at the Thrushgrove meeting to petition for universal suffrage, and regretted that he had not taken a more prominent part in it. If they were not to be trusted, who were all the while before the world as honest reformers, why was this man, who professed more violent principles, but who sacrificed all principles, feelings, and sentiments, by communicating with Finlay, who was in communication with government—why was he to be trusted? "He then added, that he had now the authority of government"—There must then have been a communication with government, on the subject of the conferences which Mr Finlay had held with Richmond, as to the reward to be paid—"the authority of government, to offer me a respectable permanent situation, if I would lend my assistance to suppress the conspiracy. I told him, if he had not known enough of me before, to prevent him from making such a proposition, the respect he owed to the gentleman whose letter had introduced me to him, on that occasion, ought to have protected me from insult; that he already knew I was incapable of acting from such a motive, and that the only one which could induce me to interfere at all, would be to endeavour to save a set of men who, goaded on by their necessities, were rashly and ignorantly exposing themselves to punishment."—Pretty successfully he exerted himself—to have thirty of them taken up, and placed in a situation in which, if the crown lawyers had not been accidentally baffled, some of them would, according to his own representation, have suffered the extreme penalty of the law.—"That, in the event of doing so, the only reward I wished was, the approbation of good and upright men, upon whom I could call, if ever I was placed in such a situation, in after life, as to require their assistance. I continued, that I felt very confident I was able to dissipate the conspiracy, without the necessity of inflicting punishment on any one, and without its existence ever being publicly known; that, to an absolute certainty, I could effectually prevent the possibility of any explosion." Conspiracy, indeed! an organization made in the midst of suffering and misery—which Richmond is to dissipate; at the same time, avowing that he dare not personally attend the meetings, and only interfering through other persons whom he employs! Richmond is to dissipate the whole, by the mighty magic of his secret influence! So that we have at length the *great state secret*, which had been breathed by Lord Sidmouth into the ear of Mr Finlay, and breathed by him into the ear of Richmond, to remain harmless, be quietly dissolved, or be, until the end of time, unnoticed and unknown! "But my farther interference," he adds, "depended upon certain stipulations being complied with, and a rigid adherence to the plans I should propose. The *first* of these was, that, if I failed in inducing the people to abandon their foolish project, and it became necessary to take any of them into custody, all those with

whom I came in contact, or who might be, either directly or indirectly, influenced by my proceedings, or those who might be employed, should be secure from punishment, however guilty they had been previously."—What power Mr Finlay could have to make such a stipulation, it is impossible to see.—"*Second*, That I should have full liberty to try the extent of my influence, without any premature interference on their part, unless there was an actual danger of open disturbance, and when I could no longer be responsible for the public peace." So that Mr Richmond was to supersede all constituted authority! He was the person to whose hands the public peace was to be confided! "*Third*, That in no case was I to appear in any prosecution, or be called upon to give evidence;"—A most prudent and wise stipulation, and faithfully kept by those connected with Richmond!—"And, *fourth*, That whatever way the matter terminated, Messrs Jeffrey and Cockburn should be made acquainted with the whole of my proceedings."—What! were they unworthy to be consulted, on his entrance on the schemes? and were their ears to be outraged by the recital of their success? Why communicate with Messrs Jeffrey and Cockburn only, when the victims of conspiracy have been seized and bound, indictments prepared, a jury ready to try, and the axe and gibbet already awaiting them? Gentlemen, it is not unusual to stipulate for pardon to twenty or thirty friends, either in actual or dramatic experience; nor is it at all unusual for the party acceding to those stipulations, afterwards to break them.—"These stipulations being most solemnly agreed to, I proposed that they should find a few men, to become members of the confederacy; and, for the purpose of preventing any deception or collusion, that none of them should know of another being employed; by which means the information given by one would be checked by another. In this way I calculated that timely notice could be received before any real danger approached, and, at the same time, find out the quarters where my influence could be most promptly and effectually exerted, to induce them to abandon their scheme—that I should have no communication with the persons so employed, neither should they know anything of me; and as everything depended upon profound secrecy, I would hold no intercourse with any person filling an official situation under government. All these points were approved and agreed upon, and Mr Reddie was substituted for the sheriff of the county, to whom and Mr Finlay all my intercourse was confined." "As a check upon the whole"—He is now going to disperse the conspiracy—"the line of conduct I marked out for myself was, to get into the confidence of one person, who had influence amongst them and was acquainted with the arcana of the business;"—employing himself in endeavouring to seduce those who were in suffering and in misery, into that net which would immesh them all. Mr Finlay, I believe, had no idea of instigation. He only wanted to discover what existed. But Richmond evidently now wished to instigate and invent—"for which purpose I determined to ply M'Lachlan, who had already committed himself to me!" And here you will find a passage which, although quoted in the Magazine, he has not ventured to include in the declaration, and on which he has not ventured to make a single remark. "In effecting this object, two difficulties presented themselves. I could not obtain his confidence in any other manner, than by allowing him to believe I approved of the measures they were pursuing; and, if I did so, it would naturally occur that I ought to come forward, with all my influence, in their support; but this objection I obviated, by saying, I was too well known to make any prominent appearance. Next, that, although I might secure him personally from danger, he might be the means of instigating others, and extending the conspiracy by the indirect encouragement he received from me, before I had him sufficiently in my power; but this apparent difficulty I made the chief means of preventing the extension of the organization. My proceedings required to be conducted with the utmost caution. Being aware of the man's situation, (although not yet sufficiently acquainted with his personal character,) I gave him small sums of money, to relieve his necessities, regulated so as not to excite suspicion, as being above what I was able to afford." Gentlemen, is the man who did all this—who confesses to all the world that he did all this—is he a person to come before a jury of the city of London, for compensation in damages, arising from any epithets which the natural indignation of man's heart may have applied to him? Where did this money come from? says this article—Where did this money come from, Mr Richmond, I reiterate? Not from your own pocket, surely, in your then indigence. Came it then from Mr Finlay?—from the agents of government, with whom he was in immediate communication, and the effect of which, however designed, was first to excite, and then to betray those misguided and wretched individuals? Gentlemen, if I stood on this alone, I am sure you will agree with me in thinking that there is not a charge advanced which has not been justified by this confession. "So far this had the effect, but I soon found him so completely worthless, that I could attach little credit to any of his statements. My first object was, to ascertain how far the organization extended through the country; if there were any persons of respectability or intelligence connected with it; if any correspondence had taken place with the manufacturing counties of England, then also in a state of ferment; and to adapt my measures to the circumstances."—You will find this very important, when you come to hear the evidence which I shall give you as to the statements which Mr Richmond made as to the extent of the confederacy, and of the readiness of influential persons in England to co-operate in one general rebellion against the constituted authorities of the State.—"However, after having several conferences with this man, I found his statements so incredible and incongruous, so much at variance, at one time compared with another, that I was unable to arrive at anything definite, and, after losing nearly a fortnight, contrary to my original intention, I was obliged to make him introduce me to another of the party."—Who was that other? It was that John Campbell who was one of the parties seized; who was afterwards produced as a witness, and succeeded in baffling the crown lawyers, in the manner I have already described. That was the next person to whom Richmond addressed himself, and whom he plied, not with fine moral reasoning, but with the same coarse, vulgar, but too influential *stimuli* of "small sums of money," administered to him in his necessity.—"The name of the second person, to whom I found it necessary to be introduced, was Campbell; and, as he subsequently made a conspicuous figure in the Court of Justiciary, and his conduct became the subject of a motion in Parliament, I will describe his situation and character, as far as they came under my observation. He was also an operative weaver, in extreme poverty, but had previously been more favourably situated: naturally shrewd and firm in character, his information and judgment were above mediocrity; tinctured with enthusiasm, the difficulties of his situation had blinded his judgment, and he felt confident of success in the scheme they were pursuing. I found him cautious, and, for a time, ambiguous; but, in comparing all his statements, never found him violate truth. I had no previous knowledge of him, but soon discovered he was much better adapted to my purpose than M'Lachlan; and I took the same method of getting into his confidence, by occasionally giving him small sums of money. I never entertained a doubt, from the good sense he possessed, of being able to convince him of the absurdity of the measures they were pursuing: it, however required both time and caution, as I should have lost all influence over him, had he at first entertained the least suspicion of my real design. Much has been said of my instigating these men, in the preliminary part of my proceedings; but such was not the fact."—So that it is no new startling charge to Richmond, which has given occasion to these proceedings in 1834.—"They certainly, for a time, believed me friendly to the measure."—Such is the general manner in which he pleads to that most atrocious charge. "M'Lachlan had represented to me, that their connection extended over all the western counties of Scotland, and through part of Stirling, Perth, and Forfar-

shires: that they were in correspondence with the manufacturing counties of England, they being similarly organized; that many people of property and respectability were connected with them; and that they had a considerable quantity of arms provided. This was a delusion which the leaders practised upon the members of the confederacy, as well as every person they solicited to join them; when, in point of fact, it never extended beyond the neighbourhood of Glasgow. It required a considerable time to correct those misrepresentations; which I accomplished, partly by Campbell, as I progressively got into his confidence, and partly by other means. I was, however, obliged to obtain this information indirectly, and by piecemeal; for, when I asked a direct question, I was pressed to become a member, and they would acquaint me with everything. In these cases, I had to repeat my reasons for declining, and gave them the strongest injunctions not to let any of their associates know that I had any knowledge of their proceedings. From my acquaintance with the leading men in the manufacturing towns and villages in Scotland and several parts of England, they constantly solicited me to point out the proper persons for them to apply to, who were most likely to be useful in extending the organization."—And what account do you think he gives of it? Why, he says, "To keep up appearances, I several times complied with their request, and, in some instances, advised such delegations; but gave the names of men who, I knew, had too much judgment and prudence to engage in it; and where I had any fear of their coming in contact with persons who might be misled by their misrepresentations, I previously gave those persons warning, and put them upon their guard."—So that he here played the double traitor by them. This is the manner, Gentlemen, in which he undertakes to justify himself. I will now read you a passage, in which he coolly speaks of having counselled the organization of spies, who were not to know each other. He complains very much of the government, because they had a coarse and inefficient system of espionage; nothing like that more refined and elegant system which he had conceived the welfare of the community demanded.—"I was also completely deceived in the opinion I had formed, when the Government could not furnish a single individual capable of getting admission amongst them, although I had pointed out the quarters which I thought accessible; for, like many others, I imagined they had always at hand a number of experienced agents to meet any exigency. By many persons it may be considered creditable to our Government that they were not so provided; but of this I must be allowed to express my doubt." You here observe how Richmond has changed his opinions; for he told you to-day, that Government had acted most properly in the matter; but now he delicately hints a fault and hesitates dislike against them, for not having been provided with a better system of espionage.—"With those who consider the prevention of crime preferable to its punishment, some such means of doing it will always be considered necessary; and until society is differently constituted," &c., "I see no other remedy." So that SPIES are to be the new links between the people and the Government! Spies are to awaken those delicate impulses which are to sway the social machine to all that is harmonious, and peaceful, and happy! Richmond here is not ashamed of his vocation. Truly he speaks out here. He justifies now!

Gentlemen, I have now read all the extracts from this book which I deem necessary to illustrate the history of Mr Richmond's exploits in Glasgow. It will be in the power of Richmond to read as many more as he may think fit. I only desire you to take the whole into your fair and candid consideration, and ask yourselves, Whether the inferences which I have drawn from it are not established, confirmed as they will be by the evidence which I shall give.

His allegation is, that the arrest of the parties on the 22d February was in direct violation of Mr Finlay's pledge; yet it appears that, while he complained of having been most unfairly dealt with, because the victims for whose immunity he had stipulated, had been taken into custody without his consent or control; even then he was continuing in the most unreserved communication with the Crown lawyers who were to prosecute them. He states that he offered himself as a witness for the defence—that Mr Jeffrey and Mr Cockburn, although they had so high an opinion of his integrity, would not "hazard his evidence;" yet he was advising the prosecutors as to the witnesses they should call. They apply to him to tamper with Campbell, and he says he would not consent to do that. He was probably afraid to do it. But, although he had not courage to tamper with this man, he told the prosecutors that they might rely on all he said; and that, while professing his anxiety to save the prisoners! Whether he played the double traitor to his employers or not, matters not to the present question—that question being, whether a man who has published these things of himself, is one who has a right to complain of any epithet the English language can afford, and when applied to him by a public writer commenting on these confessions?

The next subject, in order of time, is that of his indemnity. He says, that he entered upon the transactions without the least idea of gain; and when Mr Finlay proposed to him some prospect of remuneration, he says, "I told him, if he had not known enough of me before, to prevent him from making such a proposition, the respect he owed to the gentleman, whose letter had introduced me to him, on that occasion, ought to have protected me from insult; that he already knew I was incapable of acting from such a motive; and that the only one which could induce me to interfere at all, would be to endeavour to save a set of men who, goaded on by their necessities, were rashly and ignorantly exposing themselves to punishment."—No sooner, however, is the work complete, than, for the six weeks in which he was occupied, he goes to Mr Finlay, asking him to apply to Lord Sidmouth; and receives offers of provision in some distant country, where he might acquire a new character, and support those who were dear to him, without the fear of reference to the transactions of his past life. Those offers, however, he thought fit to refuse; and the end of his application, as stated by himself, was, that the high contracting parties came to this determination.—"That the whole matter should be terminated by an agreement to pay a specific sum of money, in full of all demands."—Is the man, then, who has received the price of his deeds, now to come forward and claim damages, at this time of day, for the natural expression of indignation at the baseness of the cause for which he was rewarded? I will now present you with the consummation of the matter with government, which he himself discloses. "Mr Finlay, at this period, retiring from parliament, all future correspondence was carried on by letter. The matter was now conducted entirely by Messrs Finlay and Reddie; the Lord Advocate, disgusted with such vacillating conduct, having refused all further interference; and, unable to obtain any kind of security which would enable me to put my family in any settled situation, I wrote them, that as the basis of an accommodation was laid by the principle of indemnification by a sum of money being recognised by both parties, the only difference which could arise must be respecting the amount; that as there was no appearance of obtaining a settlement upon other terms, I put it entirely into their hands; that they were perfectly aware of the difficulties I had to encounter, and the sufferings I had been exposed to, but that they were to sacrifice everything which might have been considered due to my feelings, as they had to deal with men who seemed incapable of appreciating them, as my friends had foretold; and, as the question would be thereby reduced to the actual loss I had sustained, I would accept of any sum which they might consider reasonable. The negociation was accordingly renewed upon that basis, and continued until the end of September; when Mr Reddie apprised me, that after making every effort in their power, they were unable to induce government to give anything at all like a reasonable indemnification, even on the principle laid down; and that, after comparing it with the disadvantages attendant on remaining in a state of insecurity and uncertainty, I might draw my own conclusion. Mr

Finlay had, for a considerable time, exhibited more of the cold caution of the politician than the interest or warmth of a friend. My annuity was never paid up, according to agreement. It seemed to have been the object to tire me out, as well as every one who felt an interest on my account, by interminable delay; and it was thoroughly accomplished. The patience of all was exhausted; nor did any hope remain, that the moral sense of the Right Honourable Secretary of State was sufficiently acute to enable him to distinguish between *my* motives *and the nature of my claims*, and the transcendant virtues of the dignified moral agent his Lordship had employed for detecting the conspiracy of Thistlewood. I therefore consulted with the gentlemen who, from time to time, had given me the benefit of their opinion and advice; and on the 9th of October, I empowered Messrs Finlay and Reddie to settle it on such terms as they were able to obtain. I considered those instructions would have brought the matter immediately to a close: but some other demurrer was put in, which produced an additional though fruitless delay of four months. At last, in February 1821, his Lordship finally determined that a few hundred pounds was a sufficient indemnification for all my losses and sufferings, physical and mental; and as I was completely wearied out, and had fully made up my mind to accept of whatever was offered, it was ultimately settled on those conditions."—Such, gentlemen, is the history of Richmond's conduct, from Richmond's own hand. Introduced, in great poverty and distress, to Mr Finlay,—organizing spies to report to him, who should not know each other,—reporting secretly to those who were the most bitter opponents of his own principles,—a person hired and sold, "plying" his wretched dupes with "small sums of money," adapted so as to conceal the source whence they came, but so also as to meet the necessities of those to whom they were addressed, and whom he was urging to rebellion and crime,—clamouring for his reward,—in communication at once with the crown lawyers and the counsel for the prisoners,—and at last receiving, from the hands of Lord Sidmouth, who had not shrewdness enough to appreciate his virtue, "a few hundred pounds," as "payment in full of all demands!" As to the real amount of this remuneration,—whether it was a "few hundred pounds," or more,—I don't consider as of much moment. In one of the articles complained of, there is a long quotation from Mr Mackenzie's work, which gives reason to suppose that it was nearly £1000 which he received, which Mr Richmond has not deemed as libellous. That matters not; but I say, with Mr Tait, if there were any sort of palliation in the truth, it would have been more to the purpose had he told his readers and us, what he really did ask,—at what price he did estimate his services,—and what he actually did receive,—instead of leaving us in the dark as to his demand, and enabling us to guess no nearer as to his reward than that it was "a few hundred pounds." *But that money, whatever it was, constituted the real price of the character for which he is now claiming damages in* 1834. Is he to have both the immunities of honest reputation, and the wages of infamy?

Let me now inquire, for a moment, what was the immediate effects of these transactions, at the very time when they occurred, upon the character which you now are called upon to vindicate. I have shewn you, from Mr Richmond's own statement, that the first person whose confidence he acquired, to whose passions he ministered by affected zeal for reform, and on whose necessities he played by "small sums of money," was a man named M'Lauchlan; and I will now shew you, from the same source, that, on the spot, in 1817, that same M'Lauchlan made an affidavit, and, on his solemn oath, charged Richmond with that which I charge upon him now—with being the instigator of the whole plot, which he was afterwards to reveal. After some abuse of this man, Richmond says, (p. 90,)—"He then made an affidavit, charging me with being the author of the whole plot; which raised him finally to the rank of a patriot and a martyr. Upon this man's authority, the editor of a newspaper in Glasgow founded charges and published libels against me, which have done me incalculable injury; and, by the false impression they produced upon the public mind, have been seriously prejudicial to the interest of society."—Yes, society suffers when a good man falls!—"He is more indebted to my forbearance than his own prudence"—Strange forbearance, to suppress his noble anger for fourteen years!—"that he was not sent before a jury, to answer for his conduct; for the libels have long ago been submitted to the most eminent counsel at the bar, (of opposite political opinions,) who have none of them any doubt as to the issue."—No doubt, if they were false; but why not grapple with them, then, when M'Lauchlan himself might have been examined and cross-examined, as to the truth of what he had clearly sworn? Nor can it be said, that these accusations fell harmless. In page 49, he says—"I have been immolated on the altar of prejudice; my reputation has been wounded by charges which I have not merited; and I have experienced all the dishonour of guilt, without its turpitude. I have been charged with acting from the basest and most sordid motives." This is the man who comes before you, alleging he was never "suspected to have been guilty" of the charges made against him—as if he had read them in Mr Tait's Magazine, for the first time! Again, at page 96 of his book, he says—"From the 22d of February, when the men were taken into custody, my situation had been agonizing in the extreme. The most malignant demon could not have desired to make me suffer more. While I was strenuously exerting myself in every possible manner in favour of the accused, and condemning the principle of the whole proceedings against them, I was denounced as an emissary of the government, and the instigator of the whole."—Here you see, gentlemen, that he himself acknowledges that he was denounced; yet he waits—for what?—Till time shall have destroyed the proof of his innocence! Then let us turn over a few pages further, and see what the opinion of his friends, as to his conduct, was. In page 117, we are told, that, "On learning the particulars, Mr Jeffrey declared his perfect conviction, that there was no ground for throwing the slightest imputation on the motives which had induced me to act as I had done; that, although I had been prevented from carrying my plan fully into effect, he was satisfied I had rendered a very important service to society; but that the danger to which I had exposed myself, and the sacrifices I had made, were so great and so completely out of the common road"—I should think so too, gentlemen—*(Laughter)*—"resembling romance rather than reality, that it would be almost impossible, from the equivocal situation in which it had placed me, to convince the great mass of society of the purity of my motives. He therefore looked upon it as the greatest misfortune that could have befallen me; as it had severed my connections, and deprived me of the means of usefully exerting my own talents, while it had put it out of the power of my friends to avow their sentiments, or render me any assistance in this country."—Thus, even Mr Jeffrey, his kindest and most trusty friend, bids him despair of his character. And now, let me ask you, if, although thus despairing, this eminent person did indeed regard him as a victim to circumstance—if he who, in his laborious progress to the judicial seat, has cast the glowing light of his fancy upon the long succession of contemporaneous literature, and who, while mastering the dullest realities of life, has had frequent glimpses of the regions of romance, did indeed regard him as in this interesting but melancholy position—if one, acquainted equally with the force of evidence, and the subtle windings of human feeling, and, moreover, cognizant of all the attendant facts of the particular charge, believed him innocent—did not Mr Tait give him the wisest and the kindest council, when he admonished him, that a line from Mr Jeffrey would be better than a thousand sophistries? Mr Richmond proceeds—"In these opinions Mr Cockburn fully coincided; but he thought that no man was justifiable in making such a sacrifice; as, in all cases of the kind, it was difficult for the public to judge whether men were actuated by good or bad motives; that society was entitled to take its chance, rather than that an upright man should

expose himself to such hazard; and, although great benefit might be derived from a good man acting in the manner I had done, it was a dangerous precedent, and liable to abuse in the hands of a bad one; that I was wrong in putting my happiness in the power of the administration or its adherents, from a belief that they were actuated by the same benevolent views as I had been myself, for, in all probability, they were incapable of drawing a line of distinction between me and the profligate, mercenary myrmidons whom, there was reason to believe, they had otherwise employed; that I might have known that, regardless of the effect it might have upon my character or feelings, they would attend no longer to any engagement they made with me than suited their crooked and mistaken policy. Both, however, declared they were so perfectly satisfied of the rectitude of my intentions, and the sacrifice I had made of my future prospects, that, whatever claim I had upon them for my former conduct, it was now greatly enhanced by my present situation; that I might, in the most unlimited manner, depend upon their influence, together with that of all their friends to whom the matter could be communicated, being exerted in my behalf, in any way which would best promote my future comfort; but, in the excited state of the public mind, there was no hope of overcoming prejudice by a public explanation; on which account they considered they could be of no service to me, unless I left the country. They therefore proposed that I should go to the United States of America, where all their interest should be concentrated to procure me a comfortable and respectable settlement."—And well would it have been for Mr Richmond had he taken this counsel—had he sought another country in penitence—had he there made provision for those of whom he speaks as dear to him, where they might have been saved from the pain of hearing of those deeds which here could never be forgotten, even if he had not chosen himself to publish them!

While I am on the subject of Mr Richmond's character, as affected by the charges made against him at the very period when the plot exploded, I will beg your attention to one curious passage, at page 123. After heaping abuse upon M'Lauchlan—epithets quite as unsavoury as those of which he complains to-day,—he proceeds to introduce the names of persons who may fairly complain of him:—"The temper of the times, however, admitted of no investigation; the olio of inconsistencies was unhesitatingly sworn to by the triple apostate, and, in the form of an affidavit, was inserted in the same paper with my letters; the sapient editor gravely assuring his readers, *that the whole statement must be held to be true, until each particular charge was distinctly disproven by direct evidence.* Upon that authority, without farther inquiry, it was affirmed, that, through my agency, government was the author of the whole plot; and, the statement going the round of a certain portion of the periodical press, my name was immediately associated with a Reynolds, a Castles, and an Oliver."

This shews the estimation in which he was held. But what right, I ask, has Mr Richmond to speak thus disrespectfully of Mr Reynolds, Mr Castles, or Mr Oliver? If he could succeed in this attempt, he would establish a fatal precedent against himself. If gentlemen who have served government as "moral agents," and received their reward, are to bring actions for libel, let Mr Richmond beware. Here are the materials for three actions against him in this little passage. Let me take one of the slandered parties, by way of example, and suppose Mr Richmond sued by Mr Castles—honest, honest John Castles, a most respectable plaintiff for a libel cause. He, like Mr Richmond to-day, would be "a good, true, honest, and faithful subject of our Lord the King." He, too, would be one "never guilty, nor suspected to have been guilty of treason, or other such crime." He, too, "by reason thereof," would have "acquired the good opinion of all his neighbours, and other good and worthy subjects of the realm, to whom he was in anywise known;" and he, too, would complain of Mr Richmond, that he, "greatly envying the happy state and condition of the said John Castles," published a "false, malicious, and defamatory libel concerning him."—(*Laughter.*)—In this place, perhaps, the experiment might be scarcely safe. Some lurid gleam of reminiscence might cross the fair picture of the pleader's art; but let Mr Castles take a lesson from Mr Richmond, and change the scene: let him sue in Edinburgh—let him fix on some publisher there, of a periodical work, which may contain something of him "much too rough;" (and I daresay he might find such matter even in the great Review over which Mr Jeffrey so long presided; and, with a little care, might even fix him, or some other person now or late in high station, with the authorship;)—and then all would be firm and entire; and a most unsuspected plaintiff would complain of a most wicked slander. That case would be the converse of this: The Castles of my picture is, in truth, the Richmond of this scene now acting before you.

Gentlemen, I will now take leave to make a few remarks upon the publications which form the subject of this extraordinary complaint. The first you will find contained in the article which has been introduced to you as a review of the book published in Glasgow. It is not, in form, such a review as is contained in the works which are merely Reviews, as the *Edinburgh* and *Quarterly*; but such as you, gentlemen, and I have often had great pleasure in reading in the Magazines for the month, where the subject of a work is taken for that of an essay, the source whence it is chiefly drawn being acknowledged in a note. It commences thus:—

"THE SPY SYSTEM; OR, 'TIS THIRTEEN YEARS SINCE.

"In the month of December, 1820, the Whigs and Reformers of Edinburgh, after a long period of gloom and depression to the friends of freedom, took advantage of the favourable crisis which followed the trial of Queen Caroline, when the Ministry of Castlereagh and Sidmouth had become utterly odious and detestable to the nation, to hold a public meeting, at which, among other resolutions, the following were adopted:—

"'That they (the Ministry) have, for many years, persisted in a course of most improvident and wasteful expense; and, in times of unexampled distress, have obstinately rejected every proposition for effective retrenchment and economy.

"'That they have struck an alarming blow at the morals of the people, and have invaded the private security of every class of subjects, by employing, encouraging, and protecting an unprecedented number of spies and informers; who are proved, in many cases, to have been themselves the instigators of those disorders for which others have been exposed to prosecution and punishment.'"

Mr Richmond here, in his declaration, says, "meaning thereby, among others, the plaintiff!" If so, his friends and compensators, Messrs Jeffrey and Cockburn, were guilty of making the imputation; for those words are contained in a resolution, passed at a great Reform meeting, at which both were not only present, but, I have no doubt, took an active part. However, Richmond no sooner sees the word *Spy*, than he cries out, "That means me."

"The intrigues and diabolical system of instigation and espionage, to which these unfortunate men fell victims, might form suitable passages in the history of the Inquisition, or of France, while governed by Mazarine or Richelieu. But this same infamous system had prevailed, both in England and Scotland, for some years before these deluded individuals became its prey; and we are greatly indebted to a little work which has recently appeared in Glasgow,* which enables us to trace its birth, and develope its working, till the iniquity was consummated in blood, and in the suspension of liberty. The first of the brotherhood of the Castles and Olivers that figured at this time in the west of Scotland, was Richmond, a more plausible and clever knave than any of them, and therefore, just so much the more dangerous. This man had been bred a weaver, and had come into

* "Exposure of the Spy System." Glasgow; Muir, Gowans, & Co.

contact with Messrs Jeffrey and Cockburn, when indicted to stand his trial for being engaged in a combination to raise wages. They advised him not to risk a trial; and he fled and was outlawed, but returned to Pollockshaws in great poverty, and addressed his former counsel, soliciting pecuniary aid."

Poverty!—surely that is true. He has himself said over and over again that he was ruined. "Mr Jeffrey was moved by his condition, and was kind enough to interest himself in behalf of the man. He wrote to Mr Kirkman Finlay and Mr Henry Monteith, to see what could be done to assist Richmond. Mr Kirkman Finlay appears at this time to have been chokeful, ready to burst, with a mighty 'State secret,' intrusted to his prudence and loyalty by Lord Sidmouth. This was nothing less than an extensive conspiracy to overthrow the government, of which Glasgow and its environs was the principal seat. Mr K. Finlay may be very zealous and loyal, and he might also be of the order of men who naturally feel disappointed if a mighty 'State secret,' intrusted to their keeping by a Lord and a Secretary of State, were found to be all humbug; and if it were discovered to be a mouse of which their own mountain was in labour. Of the plot being a very good plot, he never seems to have doubted; and, at his need, the devil sent Richmond, a man, for the purpose on hand, among ten thousand." Was he not so? Do you think Mr Finlay would have taken the outcast of a prison, had he not been been so? Is not every word of what I have read proved by the book? "Their first meeting, in consequence of Mr Jeffrey's introduction, was held ostensibly to arrange the entrance of Richmond into the employment of Mr Owen at New Lanark. It led to a most confidential communing. Mr Finlay was particularly desirous for proofs of the conspiracy, and Richmond was the very person to obtain them for him. When rogues fall out, honest men get their own, saith the proverb. In a few years after this, when the rogues did fall out, Richmond, in a curious printed account of the whole affair, asserts that, when solicited by Mr Finlay to act as a spy, he wished to consult his benevolent patrons, Messrs Jeffrey and Cockburn;—and he adds—yet who can believe one word that he says, for which there is not other proof?—that to this proposition Mr Finlay decidedly objected, as was to be foreseen." Does he not say the very same thing in his book? But to continue; "They were, he allowed, both honourable men, but not the sort of persons to be intrusted with Lord Sidmouth's IMPORTANT STATE SECRET, confided to Mr Richmond on a few hours' acquaintance. These high contracting powers, Finlay and Richmond, appear to have first met about the 10th of December, 1816. On the 22d of that month Richmond had so well acquitted himself, by bringing intelligence, that he states that his employer, Mr Finlay, who had made him vague offers of reward, was now '*authorized by Government to offer me a respectable permanent situation, if I would lend my assistance to suppress the conspiracy.*' The loyalty and patriotism of Mr Richmond, prompted by that of Mr Finlay, could no longer refuse the wished-for aid; but to detect a plot, or suppress a conspiracy, it is necessary that one should first exist; and this, an article at that time of the first necessity to the Government, Richmond set himself to hatch with all diligence. Subsequently a plot was really formed; but when the wretched and infamous affair was developed and traced, the ingenuity of the whole posse of Scottish Crown lawyers, sheriffs, and the myrmidons never behind in such cases, failed to obtain a vestige of proof of any oath, bond, or association, existing prior to the middle of December, that is, a few days after Richmond's first interview with Mr Finlay. The whole object, as their rascal spy acutely stated, after they dismissed him, was to get up an alarm 'to quash the demand for Reform, then so generally made.'"—Is not that as true as if a better than Richmond had said it?—"And now mark the steps by which a Sidmouth Spy proceeds; for we think Sidmouth is as much entitled to the honour of the name, in all future time, as any discoverer or navigator is to have an island or cape named after him. There was then living in the Calton of Glasgow, an intelligent weaver, named William M'Kimmie, known to Richmond as a keen reformer, and one possessed of some influence in his own neighbourhood. To this man the villain spy talked in glowing terms of the state of feeling throughout England, where the people, indignant at the Parliament scouting their petitions, were arming themselves, and organizing to overturn the Government. This information, he affirmed that he had from private but sure sources. He urged the propriety of following the same course in Glasgow, and that every man entertaining *his views* should take an oath to unite in *forcing* a complete reform in the representation. The law of 1833 was, it appears, the treason or sedition of 'thirteen years since.' We should not have wondered if William M'Kimmie had yielded to these traitorous solicitations; nor, all things considered, should we greatly have condemned any thing save his imprudence; but without at that time distrusting the spy, he fortunately rejected his counsels. The social Burker found more credulous victims. To M'Kimmie he had boasted of having plenty of funds to defray all expenses; and he found creatures, whom he only half trusted, fitted for his purposes of deluding and betraying better men."—Is it not most singular, gentlemen, that Richmond should complain of that? It is all in his own book. He does not mention the name of M'Kimmie; but, gentlemen, I will put that very William M'Kimmie into that box, who will prove to you the traitorous attempts made upon him, and establish the truth of this charge to the very letter.—"We shall quote from the narrative of this humble friend of Mr K. Finlay, and chosen depositary of 'a great state secret.' Some of the persons whom he influenced, upon New Year's night, 1817, and about a fortnight after he had obtained the confidence of Messrs Finlay and Reddie, mustered a meeting of a dozen or more weavers in a public house. The master spy did not himself appear."—That, again, gentlemen, is exactly what he himself says. "It unfolds some curious recesses of the human heart to see how this wretch speaks of his own conduct throughout these transactions. There is not a doubt that he conceives himself a very ill-used man; and one, in moral rectitude, far superior to Lord Sidmouth, Mr Maconochie, then Lord Advocate of Scotland, and other high functionaries, and most honourable and excellent persons. We leave posterity to strike the balance between them." Then come some long quotations from his own book; but them I may pass over; for, strange to say, there is no charge against us for reprinting them; but you will consider their effect, if, indeed, you should think it necessary at all to consider, after you shall have heard the case I shall lay before you! The article then goes on with a variety of long passages from the book published in Glasgow, with which I shall not trouble you. Now, upon the publication of this article, what does Richmond do? He writes a long and abusive letter to Mr Tait; and his first complaint is that that letter was not inserted in the next Magazine after it was received. Mr Richmond knows it was impossible. The letter bears date the 17th of June; it had to travel from London to Edinburgh; the Magazine appears in London, printed, covered, and stitched, on the last day of the month. The letter could not have reached Mr Tait before the 20th, by which time the Magazine must be nearly made up for publication, and the letter consists of some six or seven pages. On its arrival, what does Mr Tait do? He annexes a fly-leaf to the Magazine for July, in which he gives Mr Richmond some excellent advice—telling him to get but one line from Mr Jeffrey or Mr Owen, which would do him more good than twenty of his own elaborated letters. Then, in the following Magazine, Mr Tait allows him to tell his own story. Could anything be more fair than this? He culls some small passages from the notes appended to this letter—notes which also refer to his own book—and complains of the hard names which indignation has supplied. What right a man, even as innocent as Richmond, has to complain of hard names, who heads his letter "*Parthis mendacior*," I leave you to decide.

I had passed over an intervening number, from which some passages are also selected for another of Mr Richmond's counts. They are contained in a letter addressed by Mr Tait to Mr Kirkman Finlay, who had written to

Mr Tait, complaining of the manner in which his name had been used in the criticism. With this gentleman I have nothing to do, to-day. Mr Richmond dares not call him to prove the innocence of his purposes. But the disclosures of this case ought to convince those in authority, of the danger in employing such instruments, who may perhaps go far beyond their orders and wishes. However this may be between Mr Finlay and Mr Richmond, I think Mr Richmond has no right to complain of this letter. It takes the most charitable view of his conduct. It admits the strength of the temptation to which he yielded. It suggests better excuses for him, than he has ever suggested for himself. In the very midst of the indignation which his conduct inspires, there is here Christian pity springing up, and that indignation is diverted —how justly is not the question now—from the wretched agent to the powerful correspondent of government, who communicated with him.

Gentlemen, I have already conceded, that, notwithstanding the confessions in Mr Richmond's book, confessions which notorious facts compelled him to make, he seeks to explain and qualify. Scarcely owning that he was a spy, he is the genteelest of spies—passing through scenes of the lowest villanies unharmed—using the means of deception to bless and to save! How absurd this scheme is, you have already seen—how ridiculous the means are, you shall now take note, by a few examples. If you believe him, he attracted by repelling—he acquired his sway over the minds of the wretched and the desperate, by "sprinkling cool patience" on the "heat of their distemper"—he recommended delegations to England, and gave the names of persons who were too honourable and discreet to join—(heedless, by the way, of the palpable effect which those very names would produce on the excited dupes, who would thus be misled, believing they had a great array of noble allies in England)—he was, in short, a perpetual check upon himself. How he could check those coarser instruments, who were organized under his superior generalship, he does not inform us! But I shall not leave the case on those inferences which his own work affords. Late as Mr Richmond has brought his action, he has brought it a little too soon! Although we are trying this cause at so great a distance from the scene in which its occurrences arose—in spite of the lapse of time, the vicissitudes of fortune, and the ravages of death—although many of these poor men, among whom Mr Richmond earned his reward of Lord Sidmouth, are gone to their great account, or are dispersed in foreign lands, as would naturally befal those who had engaged or were likely to engage in such a confederacy; there are yet surviving some of those to whom his instigations were applied—and they are here! By their living lips I shall prove that the just inferences from that book are truths. I shall call before you witnesses who will deepen the picture of that distress, at which he is himself compelled to glance, and who will shew him fit agent for the abuses of power; who will describe to you the state of distress and of excitement, of which he sought to take advantage; and who will prove that there existed no secret confederacy till Richmond himself suggested it, and involved some of the most wretched in its snares. I have already told you, that I shall call that William M'Kimmie, to whom Mr Richmond's attention was expressly directed, both in the work reviewed, and in the review—a poor, honest, enthusiastic reformer, whom he sought to ensnare; to whom he boasted of wide-spread correspondence in England; to whom he urged the necessity of resorting to physical force, and to leave petitions for the bayonet; but who rejected his proposals with disdain. I will call others, who are also earnest conscientious reformers—who were indignant and suffering—to whom he held out similar inducements, and who also rejected them. I will also call one man, Stewart Buchanan, then a distressed weaver, who was again and again plied with the like solicitations, and who, for a moment, yielded to them. You have heard of the oath which produced so great an effect when read in the House of Commons by the Lord Advocate of that time, and which became so formidable an instrument in the hands of Government, seeking to obtain extraordinary powers from the fear of the people. I will prove to you, that this very oath was produced to the people by Mr Richmond himself—that he solicited this poor man to take it, as a bond of indissoluble union, and that this poor man did, on that very night, at his instigation, take that dreadful oath. I will read it to you, from Mr Richmond's book, p. 79:—

"In the awful presence of God, I, A. B., do voluntarily swear, that I will persevere in my endeavouring to form a brotherhood of affection, amongst Britons of every description, who are considered worthy of confidence; and that I will persevere in my endeavours to obtain, for all the people in Great Britain and Ireland, not disqualified by crimes or insanity, the elective franchise, at the age of twenty-one, with free and equal representation, and annual parliaments: and that I will support the same to the utmost of my power, either by *moral or physical strength*, as the case may require. And I do farther swear, that neither hopes, fears, rewards, nor punishments, shall induce me to inform on, or give evidence against, any member or members, collectively or individually, for any act or expression done or made, in or out, in this or similar societies; under the punishment of death, to be inflicted on me by any member or members of such societies. So help me God, and keep me steadfast."

Gentlemen, the Scotch are essentially a religious people. The sanctities and the terrors of the unseen world operate strongly upon them, in all the changes of character and varieties of fortune; and I leave you to judge the operation upon minds so impressed, of an obligation like this. I will also shew you that, on Buchanan expressing some doubts of Richmond's fidelity, (for the traitor will peep out amidst his fierce declamation,) he actually produced to him ball-cartridges and gave them to him, as part of the ammunition provided for the work of destruction. These witnesses are few in number. More would have been examined by the commission, in which the plaintiff refused to join, but that he rendered it abortive, by cross-examining one witness for fifteen hours! Yet here are those men whom you shall see and hear; and if what they will swear is true, what a fearful scene of iniquity will be disclosed before you! [The learned gentleman here referred to two letters addressed by Richmond to Mr John Wilson, Glasgow, and published in the *Glasgow Chronicle*; which were afterwards read in evidence; and proceeded:]—

But, gentlemen, if the dark parts of this case remained unproved—if Mr Richmond's own view of his own conduct be in any measure just—is he the man who, upon his own shewing, can ask you damages? He presents himself as a sincere reformer, yet, as ready to do the secret work of a Government most alienated from the people—to aid it, as he says, in suppressing a plot which, above all other things, would "quash the demand for reform;" and which he, who would represent himself as the agent of that government, studies to suppress in secret: he was to organize a body of spies, while he himself remained unseen—"the pestilence that walked in darkness:" and *in fact*, the lives of many were put in peril, from which only what men call accident saved them. Can he reflect on these things, and desire damages for any epithets an honest man can apply to him? If, indeed, some lingering regard to the popular cause still survived—if, in the marvellous turns of the human mind, he ever was betrayed for an instant into a true passion—those remaining traces of honesty formed the most dangerous appliances in his fearful work; for they enabled him to excite sympathies, to suggest kindling thoughts, to rouse emotions into arms, which would have lain cold and dead before the words of one who was in all things a calculating traitor. These, and the experience he had himself in suffering, and the reputation he had acquired by his share in the previous strike, became the fibres of that net in which he sought to immesh his victims. And what description of victims? not the dissolute and the reckless, whom a more wary accomplice might seduce into a particular act of crime; but honest enthusiasts; men of high mind, courage, and principle; men through the gloom of whose dungeons visions of the future progress of mankind in virtue and happiness had shone; and who, on the scaffold, displayed such examples of affecting bravery as drew tears even

from those whose lives and property they had endangered, and who were compelled, or thought they were compelled, by hard political necessity, to sacrifice them. I am ready to admit, and Mr Tait has already admitted, in terms perhaps larger than the facts will justify, that Mr Richmond did not thirst for the blood of his victims; that he would have preferred their escaping, so that he obtained his own reward—that he had once cherished those honourable aspirations which might have raised him above the humble rank in which his course began, and had yielded, under the pressure of the strong temptation of distress, to sell the eternal jewel of his soul; that his work, while it proved the real relation in which he stood, gave some evidence of relenting, of shame, and of a desire to veil, even from himself, the worst parts of his actings, and of his designs, which shewed rather an extraordinary defect in the moral sense than the full consciousness of deliberate villany. But the work was done; the lives were periled; the effect was produced; the price was paid. He stands before you revealed—almost confessed—the agent of a system involving the worst, the most deadly of treasons; treason to all those affections, and charities, and confidences, to protect which we are willing to surrender a portion of our natural freedom; without which the frame of social life becomes a bloodless, heartless machinery of punishment, instead of an entire breathing and sympathizing thing—poisoning those sources "where its vital current runs," in which it must either live or bear no life. Rather than endure the polluting tortures, the complicated depravities, the myriad treasons of this engine of corruption, working within the forms of constitutional Government, give me an honest despotism—beneath the shade of whose iron fortresses our own circles of friendship may be sacred, and which will not, at least, deprive its slaves of fellowship and of mutual trust, amidst their sorrows and their shames! That system, I trust in God, is past for ever. Whatever struggles the spirit of humanity and of freedom may still be destined to endure—if it shall yet be opposed to earth-born strength, instead of becoming its vital and informing principle, tempering and elevating it—the contest will, at least, be an open, manly, soldier-like battle; not a series of low treacheries, and slimy frauds, and tormenting violations of all that makes life dear to us. Admitting that the plaintiff was not the worst of those base instruments which power had once wielded—admitting that there might be (and this book gives intimation that there were) some self-deception in the course of his proceedings, some lingerings of better hope, and some after-relentings and desires to avert the severest penalties from his victims, which might bring him within the scope of human sympathy—admitting that he was not wholly alien from a nature, never, in its lowest descents and degradations, wholly divorced from the sense and the capacity of good;—seeking not to deprive him of such allowances between his conscience and his God—I call upon you to tell him that he, the instigator and the betrayer, has no right to complain in a court of justice, when, at his own call, the iniquities of long-past years have started up in spectral array, because men have shuddered to behold them; or to ask damages for the commentaries of history and criticism upon a character, the price of which he has already demanded and received, in those "few hundred pounds" paid to him by Government for his unhappy six weeks' service, and for which you will not allow him to obtain one farthing more.

[When the learned gentleman sat down, after a speech of three and a half hours' duration, the people who crowded the court—and whose attention had been so charmed by the eloquence which they had been devouring, that they had forgot the place in which they were—expressed their admiration in loud applauses, as if the Court of Exchequer had been a theatre. It was with difficulty that the officers could obtain a cessation of demonstrations so unwonted in that place.]

Mr Baron Parke. As there is no chance of the cause being over before midnight, I think this is the best place to stop at.

The court was then (a quarter past six o'clock) adjourned till Monday morning.

[Throughout the learned Serjeant's address, it had been evident that the Jury, and the very numerous audience, were entirely with the Defendants.]

MONDAY, 21*st December* 1834.

The Court again sat, at 10 o'clock, and proceeded with the cause. Again there was a very crowded audience, who seemed to take a deep interest in the proceedings.

Richmond. I submit, my Lord, that it would be proper to exclude all the other witnesses who are to be examined, while one is under examination.

Mr Baron Parke. Let all the witnesses retire, and wait out of court till called.

WILLIAM M'KIMMIE *examined by* Mr PLATT.

Q. Is your name William M'Kimmie? A. Yes.

Q. Are you a weaver? A. Yes.

Q. Residing where, when you are at home? A. In the vicinity of Glasgow—Bridgeton.

Q. Do you know Mr Richmond, the plaintiff? A. Yes.

Q. When did you first know Mr Richmond? A. About the year 1811.

Q. What was he at that time? A. He was a weaver.

Q. Residing where? A. At Pollokshaws.

Q. *Mr Baron Parke.* Is that near Glasgow? A. Yes: about three miles distant.

Q. *Mr Platt.* Do you know whether at any time an association was formed among the weavers, for the purpose of raising their wages? A. Yes, I do.

Q. Did Mr Richmond act as a delegate from that association? A. Yes.

Q. Do you know the number of the association? A. I could not condescend upon the number; but it was very extensive.

Q. About what number? A. The association was not very great: but the general body of weavers acted with it; which would bring it up to about 40,000.

Q. Do you remember a deputation of them being appointed to meet the magistrates of Glasgow? A. Yes.

Q. Were some of the manufacturers also to be present? A. A committee of them.

Q. What was the object of the meeting? A. It was the magistrates' wish to act as mediators between the two parties, and bring round a reconciliation.

Q. Do you recollect who managed—who appeared to conduct the conference, on the part of the weavers? A. It was done jointly by a committee.

Q. Was Mr Richmond one of the committee? A. Yes.

Q. Was a gentleman named Finlay present at the meeting? A. Yes, on behalf of the manufacturers.

Q. What was he? A. A manufacturer and merchant in Glasgow, the most extensive one of the time.

Q. Did Richmond take an active part in that conference? A. Yes.

Q. Did he speak? A. Yes.

Q. Well, do you remember, after that meeting, having any conversation with him? A. Very frequently after that.

Q. Do you remember a great meeting at Thrushgrove? A. I do.

Q. When was that? A. At the end of October 1816.

Q. What was that meeting convened for? A. For the purpose of petitioning for reform.

Q. After that meeting, had you any conversation with Mr Richmond? A. I had.

Q. Will you be good enough to state it to the Jury? A. It was about the end of the year that I next saw Richmond; it was in December—perhaps towards the end of it; but I cannot condescend upon the day.

Q. What was the subject of the conversation? A. Shall I relate it *verbatim*?

Mr Baron Parke. If you can.

A. Richmond called upon me, one evening, at my own shop; and, after speaking of the distress the people were suffering, he stated to me, that England, particularly the manufacturing counties, were organized and arming for

the purpose of resisting the government; that men of great wealth and influence were at the head of the conspiracy, and money to any amount would be forthcoming, to assist in procuring arms and other necessaries; and he considered, that, as I had very considerable influence with the weavers, it was my duty to endeavour to organize the people in that part of Scotland—about Glasgow;—that, although he believed the principal blow would be struck in England, it was proper that the Scotch should be organized, and make a diversion in favour of the English. I stated my doubts of the reports he had given me; but that, even although they were correct, I would embark in no such enterprise. Mr Richmond insisted that it was my duty to use my influence in order to get the organization commenced; and that I need not be afraid that anything would be awanting to assist me, such as money or anything of that kind. I told him that it was my opinion it would end in the destruction of any person who took the lead in any such thing; and that I would have nothing to do with it; and never to call upon me again upon any such subject. That is about the substance of the conversation.

Q. Did he offer to produce anything? A. He offered to produce some letters. He pulled out his pocket-book, and offered to produce letters, to satisfy me of the truth of what he had told me.

Q. Did you inspect them? A. No; I would not look at them. I said I wanted to see no such documents.

Q. Now, did he, after that, converse with you upon the same subject? A. Never.

Q. What was the state of Mr Richmond's circumstances at that time? A. He was acting as an agent; he was selling goods at that time.

Q. Had he been carrying on an extensive business in selling goods? A. Not very extensive, I believe.

Q. How long had he been an agent in Glasgow selling goods? A. I think it exceeded a-year: but I could not condescend upon the particular length of time.

Q. What had he been before then? How did he maintain himself? A. By weaving.

Q. How long altogether did he sell goods? A. I could not say; but it was not very long.

Q. What do you mean by "not very long?" Was it five years? A. No, not much above one.

Q. You say this was in the latter end of 1816. Did Mr Richmond continue to live in Glasgow? Yes.

Q. Until when? A. Until the February or March of 1817.

Q. Where did he go to then? A. He went to New Lanark.

Q. He left Glasgow, at all events? A. Yes.

Q. Did you see him before he went? A. Yes.

Q. In the Gallowgate? A. Yes.

Q. When and where was that? A. It was upon a Sunday, in John Marshall's public-house, No. 39, Gallowgate.

Q. Was Marshall present? A. There was no one present but himself; he sent for me.

Q. Oh, he sent for you? A. He found I was in the house, and sent for me from another company.

Q. Had that house been his place of residence before? A. No.

Q. When he saw you, did he make any representations? A. Yes. It was the day after the people had been apprehended in the Old Wynd.

Q. *Mr Baron Parke.* That was the 22d February? A. Yes.

Mr Platt. Tell the Jury what he said upon that occasion. A. Mr Richmond said he was very much alarmed at what had taken place both in the Old Wynd and other parts of the city; and that he was much afraid that he would fall a victim amongst the rest. I simply stated to him, that he should have paid attention to that in time, and not have been implicated in any such business, as I had before hinted to him. We then parted.

Q. That was the last time you saw him before he left Glasgow? A. Yes.

Q. Did you know a person of the name of Biggar? A. Yes; George Biggar; he called upon me on the first Monday in 1817, and insisted on me to go——

Mr Platt. We must not hear what he said to you.

Q. Did you see the walls placarded at all? A. I don't recollect of it. I heard it at the time; but I did not see it.

Q. Did you see them chalked? A. Not at that period. I saw them chalked about two months ago.

Cross-examined by the Plaintiff.

Q. You say you are weaving, Mr M'Kimmie? A. Yes.

Q. What are you working? A. A 16^{0} 7-4ths book.

Q. What are you paid for it? A. Sevenpence half-penny per ell.

Q. What do you earn a-week at it? A. Perhaps about 10s. to 12s. It will average that in the year.

Q. Have you anything like a distinct recollection of the precise date you have alluded to, in the first conversation you say you had with me? A. I cannot say as to the day: but I have given the month correctly.

Q. Was there anything more passed than what you have stated? A. I believe there was a good deal more; but not upon that point.

Q. Was there no asking about the state of the people in your immediate neighbourhood? A. The state of the people in general was the topic of conversation, at the outset.

Q. Was there a great deal of distress existing at that time? A. A very great deal.

Q. Were many idle at the time? A. There were a few; but I do not recollect that there were many.

Q. Do you recollect any time when there were more? A. Yes. There were many more idle in 1810.

Q. Had there been a considerable degree of local excitement? A. I do not think there was any, except upon the question of reform.

Q. Well, that was the cause of the excitement, I presume. You have stated you were at the meeting at Thrushgrove; now, was there not considerable excitement both in that and the following month? A. The excitement was considerable; there is no doubt of it.

Q. Were you reading the newspapers at that time? A. Occasionally.

Q. Do you remember the statements in them, at that time, relative to the state of the manufacturing districts in England? A. Yes, I do.

Q. (*With fierce emphasis.*) Now, on your oath, will you say there was anything else the subject of our conversation? A. I do, most distinctly.

Q. I have asked you respecting the state of excitement, and you have given your answer to that. You have stated—I put you on your guard—you have stated already, that, upon calling upon you, I had communicated to you a fact, as if it had not been known before, that the manufacturing districts were organized, and that I offered to shew you letters respecting that fact. Now, my question is, Do you, upon your oath, assert that there were any letters shewn, or otherwise spoken of, but from the public papers? A. Yes, I do. The letters you offered to shew me were letters from your pocket-book, and not at all connected with the public papers.

Q. Was there any allusion made to letters from Mr Jeffrey or Mr Cockburn in Edinburgh? A. Not at that time.

Q. At any other time? A. Yes; I recollect well enough your telling me about some with money. That was before you went into the agency business at all.

Q. During the period of our acquaintance, and while members of the Select Committee for conducting the case before the courts from 1811 to 1813, do you recollect whether or no many opportunities occurred for learning each other's sentiments relative to the state of the country? A. Yes.

Q. Was there any difference of opinion upon these subjects? A. Yes.

Q. Were you, or were you not, generally known as a man less likely to take up any scheme of excitement than another man? A. My opinions were generally known to be against anything like violence, on any account.

Q. Had the committee generally not gone along with you? A. During the strike you mean?

Q. Yes. Had not the committee acted upon the same

principle when the whole responsibility rested upon them? A. Yes. They were averse to anything like violence. They endeavoured, as far as they could, to keep the peace.

Q. Well then, did you not consider it very singular that I should make an appeal to you, to make an appeal to arms against the government? A. Yes; I considered it ridiculous of you, and wondered at it very much.—*(Laughter.)*

Q. Did you generally esteem me a foolish man before that time? A. Repeat that question again.

Q. You have stated you were very much astonished at my proposals: did you, before that, generally esteem me a very foolish man? A. I did not think you were so ignorant; but I thought it was a slip you made at that time.

Q. Now, did you not think it was a very foolish proposition for me to make to you? A. I thought it was extremely foolish of you to do so.

Q. Do you recollect, subsequent to the arrests on the 22d February, being in company with John Wilson? A. I do not recollect being in company with you till the Sunday after the arrests.

Q. I perceive, William, that your hearing is very much impaired? A. Not very much; but I am quite unacquainted with the room.

Q. Do you think your memory is as good as it was ten years ago? A. Yes, I think it is. It is not at all impaired.

Q. You have stated that I called on you, at the end of the year 1816. Did I not inquire distinctly into the state of the people in your locality? A. You frequently did that.

Q. Do you know what other measures were carried on at that time? A. I recollect that there was an application made to have the poor-laws put in force; and that I was one of a committee appointed to wait upon the Professor of Scotch Law, upon it.

Q. Were these proceedings going on at the time? A. Yes.

Q. Were there meetings at the Calton, where you then lived, and at the Bridgeton, where you now live? A. Yes.

Q. Did I make any inquiries as to the leaders of these meetings? A. I do not recollect.

Q. But you distinctly recollect that part of the conversation you have detailed? A. Very distinctly.

Q. You don't recollect one part, and recollect another: can you account for that particular part making such an impression upon your mind? A. Yes, I think I can. The proposition you made me was so contrary to anything you ever said before, that it made such an impression on my mind, that I shall not forget it while I live. I never expected you to make such a one to me; and therefore it was deeply impressed upon my memory.

Q. Did I inquire for the address of any person? A. I don't recollect that you did.

Q. Do you know whether I asked where M'Lauchlan was to be found? A. I do not recollect of your speaking of either him or Campbell at that time.

Q. You do not recollect anything about it? A. Not about these particulars.

Q. Now, I ask you, whether my call upon you at that time was not specifically to ask you for his address? A. I do not think he was spoken of at all. As far as my recollection serves, he was never mentioned.

Q. Had you and I always lived upon good terms before that? A. Generally speaking, we did.

Q. We never had any differences during the two years we acted together? A. We sometimes differed upon certain points; but we never differed seriously upon them.

Q. How long was it after this alleged conversation that you mentioned it to any other? A. I never spoke about it till after the people were apprehended.

Q. Who did you disclose it to then? A. I could not say now. John M'Millan was one, and several others; but I do not recollect who they were, at this time. To him, for one, I spoke of it, after the apprehensions. To William White and John Wilson, I recollect; and several others.

Q. Did you begin the subject, or had it become a subject of general interest all the country over? A. It certainly had become very generally understood that you had acted a very improper part, in Glasgow and the surrounding country.

Q. Did any statements appear in the public prints? A. In the following year, in 1817, some did.

Q. The arrests, you have stated, and correctly, to have taken place on the 22d February. Was there nothing in the newspapers in the course of a few months after that? A. Yes; there was, in the following August, or thereabouts.

Q. Did you make any communication to those who were writing at that time? A. Yes; to John Wilson, who was corresponding with you at that time.

Q. Did he send it to the public prints? A. No; I think not.

Q. Was John Wilson one of the five of the Select Committee with us? A. Yes.

Q. And you know he was on terms of intimacy with me at that time? A. Yes; and after.

Q. Do you recollect letters being published in the *Glasgow Chronicle*, which were attributed to him? A. Yes; I do.

Q. I do not wish to mislead you. You have stated that John Wilson was acquainted with the facts you have detailed; and those letters were published in July. Now, do you recollect whether John Wilson made any allusion at all to the statement? A. White and Wilson did not believe it, till an artillery man came down from Leith, I believe, and told them you were living well there. His name was Maxwell. They then came, and expressed to me their sorrow for disbelieving me.

Q. Did he make the statements then in his letters? A. No; I did not wish him to make any allusion to them.

Q. You are quite certain as to the phrases you have used here to-day? A. I have used your own words, as near as possible.

Q. It was "to organize and to arm?" A. These were your very words.

Q. Now, can you answer this question—Can you say how it was that you, being in communication with Wilson at the time just after he published the letter he received from me—how it was, that he made no allusion to these facts? A. Wilson had his own way of writing his letters. I had nothing to do with them.

Q. Was it generally known that you had been tampered with in the way you have stated? A. It was generally known, I believe, through those whose names I gave you.

Q. Did the Editor of the *Glasgow Chronicle* know it? A. He sent a person named M'Dougal to ask me to write a history of the transactions.

Q. *Mr Baron Parke.* When was that? A. A long time after—about 1824 or 1825, perhaps.

Q. *Plaintiff.* Now, what did you think of me, in making such a proposition to you as you have told the Jury I did? A. I thought you had made a sad slip in your calculations.

Q. Did I not shew the same prudence in making it that I usually did? A. I think not.

Q. How did you come to be brought up here as a witness? Who called upon you? A. I had a call from Mr M'Kenzie. He told me that I would be called upon, if the case came on.

Q. Are you well acquainted with him? A. I never saw Mr M'Kenzie before that time, and did not know him.

Q. Do you read the *Reformer's Gazette?* A. I have seen it occasionally, but never read it through.

Q. Do you know anything of its character? A. Very little indeed.

Q. Do you know whether it is read generally among the working classes? A. I do not know.

Q. Do you not associate with them as you used to do? A. No: very little.

Q. You do not know its character? A. All I know of it is, that some have spoken very well of it to me.

Q. Do you recollect anything of another work, called

"The Spy System," published in twopenny numbers? A. I saw the first number of it, and read a very little part of it.

Q. Did you see your own name in it? A. I did: it was for the purpose of shewing me that, that it was brought to me.

Q. Can you account for the circumstance of its being there? A. I cannot; the report was not from me.

Q. Nor made the statement to anybody? A. No.

Q. Is the statement that is there made a correct one? A. I think it is not far from the truth.

Q. I wish to know this, whether you feel perfectly confident, seeing nearly eighteen years have elapsed, that you can speak correctly to a word? A. To use the precise words I do not pretend; but that the full meaning and import is conveyed, is the fact, upon my oath.

Q. Did we part on very good terms on the occasion? A. We parted as usual. When I told you not to call upon me again, upon such a question, you took good night, and walked away; there were no angry words.

Q. Were you aware of a commission being opened in Scotland in this case? A. I heard of it.

Q. Were you summoned to attend it? A. No, I was not; I got no intimation to attend.

Q. Were you ever in London before, Mr M'Kimmie? A. Never.

Q. Were you anxious to have a view of the metropolis? A. No; it was against my inclination that I came.

Q. What have you been paid? A. Nothing yet.

Q. You expect to be paid? A. Certainly; like any other witness.

Q. Where are you living in town? A. At No. 7, Bell's Buildings, Salisbury Square.

Q. Who came to town with you? A. There were other three witnesses and Mr M'Kenzie; they were Wotherspoon; your old friend, Buchanan; and Craig.

Q. Is it Stuart Buchanan? A. Yes.

Q. What is he? A. I really do not know.

Q. Did you receive a summons? A. I have one.

Q. Did they tell you you were compelled to come? A. I received the summons after coming to London.

Q. Oh! they got you to London first; did you see Mr Tait when you came? A. Yes.

Q. What did he say to you? A. He asked after my health, and passed the common compliments.

Q. Had you ever seen him before? A. I saw him in Glasgow; when he told me that I would have to go to London upon this occasion. I said I would come, if it was necessary, although it was hurtful to my interests to leave my family; but yet I was willing enough to go.

Q. How did he describe the action? did he say he had anything to do with it?

Mr Baron Parke. I cannot allow you so much latitude—that is not a proper question.

Mr Richmond. Very well, my Lord, I have done with the witness.

Re-examined by Mr Platt.

Q. You told us of some letters which appeared in the public papers, signed in the names of Wilson and Richmond? A. Yes.

Q. Look at these, and say if they are those you spoke of? A. I forgot my glasses in Glasgow, and cannot read without them. I have tried to get a pair here to fit me; but have failed.

[A pair of spectacles was here handed to the witness by one of the jurymen. After looking at the letters, he continued,]

(*Holding up a letter,*) I believe this first one is Richmond's first letter; I saw it, and it is the same or very nigh it; and this second one is Wilson's: it begins and goes on in his style. I believe these are the letters. (*After a considerable pause,*) I think these are the letters; first, Richmond's letter, and then Wilson's, and then Richmond's reply.

Q. You were asked about a publication in which your name appeared; and you say the facts might have been more correct, but they are nearly so. Was that publication entitled "The Exposure of the Spy System," and is that it? A. This is entitled the same; but I do not see the first number, which was the only one I saw.

Q. Look at page 33, and see if that is it? A. That is not where my name is introduced, that I can see. It is only in the first number that my name is introduced.

Q. Look at page 12, at the middle of the page? A. Yes, that is it, in page 12. That is the very thing I read.

Q. That is the first number of the book? A. Yes it is.

Q. Are you the person named there? A. Yes, it is me.

Q. Now, Mr M'Kimmie, in the year 1816, had you an extensive influence, or not, with the weavers? A. I think I had, Sir.

Q. Do you think, if you had listened to these proposals of Mr Richmond's, you could have got others to follow your example? A. Yes, I do.

Q. What did you earn at that time? A. From 20s. to 25s. and 30s. a-week, at that period.

Q. Had you a wife and children to maintain? A. Yes.

Q. How many children? A. Five children.

Q. At the time when Mr Richmond made these proposals to you, had you any difficulty in maintaining yourself and family? A. Very great difficulty.

Q. And did you do so by honest labour? A. Entirely so; generally from 17 to 18 hours' labour, to make out the sum I have stated; and, from the state of the markets at the time, it did not go far.

By a Juryman. Was any one else present at the conversation between Richmond and yourself? A. No.

Stuart Buchanan *examined by* Mr Serjeant Talfourd.

[After the witness had been sworn on the Testament in the English manner, one of the Jurymen wished him to be asked whether he considered the oath, administered in that manner, equally binding upon him, as if he had been sworn in the Scotch manner. His Lordship put the question; to which the witness answered, "Equally so." William M'Kimmie was then recalled, and asked the same question; to which he made the like answer. The examination of Stuart Buchanan was then proceeded with.]

Q. Do you live at Glasgow, when at home? A. Yes, Sir.

Q. I believe you are now the engine-keeper at the Adelphi Foundry? A. Yes, Sir.

Q. How old are you? A. Going fifty-three, Sir.

Q. Were you, in 1816, a weaver? A. Yes, Sir.

Q. Did you then know Mr Richmond? A. Yes, Sir.

Q. How long had you known him before 1816? A. From the year 1812.

Q. What was he then? A. A weaver.

Q. Was he a weaver at Pollokshaws? A. Yes, Sir.

Q. Do you remember his living at Glasgow in 1816? A. Yes, Sir.

Q. Did you know in what circumstances he was, in the latter part of 1816, in Glasgow? A. He was in want at the time.

Q. Were you intimate with him, and knew from him whether he was able to maintain his family comfortably? A. Yes. In the latter part of 1816, they were nearly in a state of starvation. I knew that from his wife.

Q. But you were in the habit of seeing them? A. Yes. They lived exactly above where I worked.

Q. Oh, you worked in the same house. How many children had he to support at that time? A. Two, Sir.

Q. Did he attend to his business or not? A. He was generally going about wherever he could meet a group of people, and haranguing them, or making speeches in public houses. (*A laugh.*)

Q. Do you remember the great Glasgow Meeting, for Reform, in October 1816? A. Yes, Sir.

Q. Were you present at that meeting? A. Yes, Sir.

Q. Did you see Richmond there? A. Yes, Sir.

Q. Do you remember seeing him the day after? A. Yes, Sir.

Q. Did anything pass? A. Yes.

Q. What was it? A. He said he was sorry that he did not speak upon the hustings.

Q. Now, during the following month of December, used you to see much of Richmond? A. I saw him every day.

Q. During that month of December, when you were

in the habit of seeing him every day, was there anything happened you particularly, do you remember? A. Yes, Sir.

Q. Be so good as tell my Lord and the Jury what it was. A. In the course of December, he intimated to me that there was such a thing as a secret association existing in Glasgow, for the purpose of overturning the Government.

Q. Well, what further did he tell you? A. He told me that, as soon as a competent number of the working classes had joined it, he was backed by the best gentlemen in the land, who would then come forward; and that there was plenty of money to support the matter.

Q. Did he name any person? A. No, Sir.

Q. Did he make the statement once only? A. Frequently, in the course of December.

Q. Do you remember any other particular expressions in any of these conversations? A. No; not in December.

Q. Do you remember, in the beginning of January, meeting Richmond with a young man named Ferguson? A. Yes, Sir.

Q. What part of the month of January was that? A. In the beginning.

Q. Where was it that you met them? A. At the shop door. When I opened it, I found Richmond and Ferguson standing at my left hand.

Q. Had Richmond anything in his hand? A. Yes; a slip of paper.

Q. Do you recollect how large it was? A. About six inches square.

Q. Did he speak to you at once? A. He put the paper out of my sight at first. He then said to Ferguson, "There is no danger from *him*. I know his sentiments; there is no danger of *him*."

Q. Having said that, what did he do or say next? A. He read the contents of the paper.

Q Do you remember the contents of that paper? A. Not exactly the whole of it. I remember the object of it was the form of an oath or bond of union. Those who took it were bound to resist the Government, morallyand physically, as far as lay in their power.

Q. Do you remember whether Mr Richmond described what it was, besides reading it? A. He told us it was the form of an oath or bond of union, binding all who took it to do all in their power to overturn the government.

Q. Did he afterwards deliver the paper to you? A. Yes, I got it in my hand.

Q. And did you look at it? A. Yes, Sir.

Q. What did he do with it again? A. He put it in his right hand waistcoat-pocket.

Q. Have you seen this book, bearing Richmond's name as the author? (*The Narrative.*) A. Yes, Sir.

Q. Have you seen the form of an oath in it? and is that the same as he then read to you? A. I have seen it; and it is, to the best of my knowledge, the very same.

Q. Having put it in his pocket, did anything further take place? A. Yes. He urged me to take the oath, as nothing would save the country but the working-classes joining in that way; and again said he was supported by the best gentlemen in the land.

Q. Did you agree to take the oath, or refuse? A. I agreed to take it.

Q. Was there any engagement made when and where you were to meet to take it? A. The young man, Ferguson, in Richmond's presence, proposed to take me that night to a place where it was to be taken.

Q. Was it arranged where you were to see Ferguson? A. He was to call upon me at the loom-shop.

Q. Was the hour mentioned? A. No, Sir.

Q. That was all in Richmond's presence? A. Yes,

Q. In the evening, did Ferguson call upon you? A. He did, Sir.

Q. At what hour? A. About eight o'clock.

Q. And did you accompany him to any place? A. Yes; to a school-room in Tureen Street.

Q. Did you meet any people there? A. Yes, Sir.

Q. About how many? A. Two.

Q. Was one of those M'Lauchlan? A. Yes, Sir.

Q. Was the other one M'Kinlay? A. Yes, Sir.

Q. The same who was afterwards tried, I believe? A. Yes, Sir, the same.

Q. Upon that occasion, when you were taken there by Ferguson, was an oath administered to you? A. Yes.

Q. Were you introduced to M'Lauchlan and M'Kinlay? A. Yes, Sir.

Q. How? A. He told them I had come there on purpose to take the oath.

Q. What did they say? A. They were very well pleased that I had come to do so; and M'Kinlay administered the oath to me.

Q. Was that the same oath Richmond had read to you in the morning? A. Yes it was, as near as I can remember.

Q. And the same as the one set out in Richmond's book? A. Yes.

Q. Was Richmond's name mentioned at the time? A. No, Sir.

Q. Did you see Mr Richmond the next day after that? A. Yes, Sir.

Q. Where was that? A. At the loom-shop.

Q. Did he speak to you upon the subject? A. Yes.

Q. What did he say? A. He asked me whether I had done what Ferguson had proposed to me the day before?

Q. What did you say? A. I said I had. He said then, "That is right. As soon as a competent number joins us, we shall bring the villains to their senses."

Q. Now, after that day, did you continue to see Richmond? A. Continually.

Q. Upon any of those occasions, did you express any regret or fear, on consideration of what you had done? A. I did, Sir.

Q. What answer did Richmond make to you? A. I told Richmond I was very much afraid that there were some Windsors amongst us; meaning that there were some of the same kind amongst us as gave evidence in Colonel Despard's case. Richmond said, there was not the least danger; for he was supported by the greatest gentlemen in the land, and with plenty of money.

Q. Did he mention any particular name? A. No, Sir. He often mentioned the names of Mr Kirkman Finlay and Mr Owen of New Lanark.

Q. *Mr Baron Parke.*—He spoke generally and not particularly of any one by name? A. Just so, my Lord.

Q. *Mr Serjeant Talfourd.*—I think you said you worked or lived in the same house with Richmond? A. Yes, I worked in the loom-shop below where he lived.

Q. Do you remember, some days after that, the postman coming with a letter to Mr Richmond? A. Yes, I remember *a man* coming, and saying he had a letter for Richmond.

Q. In consequence of something of that kind, you used those expressions about "Windsors?" A. Yes, Sir.

Q. Now, having shewn some jealousy of Richmond, do you recollect, some few days after, his coming into the shop? A. Yes.

Q. What did he say to you upon that occasion? A. He inquired whether I had heard that he was accounted as a Spy.

Q. What answer did you make to that? A. I told him that I had.

Q. And was that the truth? A. Yes, Sir.

Q. Upon that, did he say anything, or did he go away? A. He protested that he was innocent: he went up stairs, and brought down a number of ball-cartridges, flints, and a turn-screw.

Q. What did he do with them? A. He gave them to me, still protesting his innocence.

Q. Did you look at them? A. Yes, Sir, I did.

Q. When you had done so, what more did he say to you about them? A. He told me to keep them, as they would suit* me; and that he was well provided for otherwise.

Mr Baron Parke. They would *shoot* you! *suit* you, you mean. A. Yes, shoot me—suit me, I mean, my Lord. (*Laughter.*)

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* This word *suit*, the witness pronounced in the Scottish way, *shoot*, which caused a laugh.

Q. *Mr Serjeant Talfourd.* Did he say what they were for? A. Yes, he repeated his old subject, that he was supported by the best men in the land, and that nothing but the point of the bayonet would do any good for the working classes.

Q. Did he say anything particular about what was to be done with the ball-cartridges? A. Yes: he said they would suit (pronounced again *shoot*) me, (*laughter*)—*suit* me, I mean; and that arms would be provided for all of us, by and by.

Q. Did you continue, after that time, and up till the time when the men were taken into custody at Leggat's, to see Richmond occasionally? A. I saw him almost daily.

Q. Did you continue to have conversations with him? A. No; I was jealous of him. and kept him at a distance.

Q. *Mr Baron Parke.* Did you take the ball-cartridges? A. I did, my Lord.

Q. *Mr Serjeant Talfourd.* Do you remember the time that the parties were apprehended?—who told you of it? A. My shopmate, John Nasmyth.

Q. Did you go, along with him, to Richmond's room? A. No: but I heard Richmond speak, and knew his voice well enough.

Q. Oh, you, if I understand you right, went up with Nasmyth, but stood at the door, while he went in? A. Exactly so, Sir.

Q. What did Richmond say, when Nasmyth told him that the committee had been taken into custody, in the Back Wynd? A. Richmond said, "All then is discovered! I am done."

Q. Did you afterwards see the walls about Glasgow chalked with anything referring to Richmond? A. Yes.

Q. What was it? A. "BEWARE OF RICHMOND THE SPY."

Q. Did it remain long? A. Yes; for a month in some places.

Q. Do you know, how soon, after that, he left Glasgow? A. In the course of two or three weeks. He did not appear so much after that—he kept himself much out of the way.

Cross-examined by RICHMOND.

Q. Where do you live now, Sir? A. In Gibson Street.

Q. Are you married? A. Yes.

Q. Have you any family? A. Yes, I have.

Q. How old are you? A. Going 53.

Q. How long have you lived in Glasgow? A. 40 years.

Q. What parish did you live in, twenty years ago? A. The Laigh-Kirk Parish.

Q. What part of it? A. In the Gallowgate, at the corner of Claythorn Street.

Q. What trade were you of? A. A weaver.

Q. With whom did you serve your apprenticeship? A. With James M'Callum, where the Red Row now stands, and where you wrought yourself.

Q. (*Impudently,*) Answer my questions, Sir, and don't be petulant. (*In a fierce tone,*) Did you ever see me before Saturday, in your life Sir? A. (*With a smile expressive of surprise and scorn,*) Yes, hundreds of times have I seen you, Maister Richmond. (*Laughter.*)

Q. Now, where did you first see me? A. In the Shaws.

Q. When was that? A. In 1812.

Q. Were you in the Shaws in 1812. A. Yes, and after; but at that time I wrought in Cross-my-loof, with Deacon Campbell.

Q. Where did you go after that? A. To Anderston.

Q. With whom did you work there? A. With Matthew Stevenson.

Q. How long did you stop there? A. Eight or ten months.

Q. Where did you go, after that? A. To Glasgow—the Great Dowhill.

Q. Whom did you work with there? A. With James M'Bain.

Q. How long did you work with him? A. About twelve months.

Q. Where did you go after that? A. To the Beggar Row, Calton; or King Street, as it is called now. (*Laughter.*)

Q. Who did you work with there? A. With James Fleming.

Q. How long did you work with him? A. Several months; but I cannot say how long.

Q. Where did you go after that? A. I remained there, till I went upon the loom you left.

Q. What year was that in? A. 1816.

Q. What time of the year was that? A. About harvest; William Coll put out your web, and I followed upon the loom.

Q. Where did I go then? A. You set up as an agent.

Q. Whom did you work with there? A. James Nasmyth, Matthew Turnbull, and a young man; but I forget his name.

Q. Do you recollect what sort of web it was I left? A. It was a 15^{00} narrow lawn.

Q. Do you say, a boy or a man put out my web? A. A man—you know perfectly well it was William Coll. (*A laugh.*)

Q. Now, Sir, was there a web left in the loom? A. You left one, to sell weavers' goods that made webs their own.

Q. How long did you remain there? A. Till some time after you deserted the place, Sir. (*A laugh.*)

Q. Do you recollect when that was? A. It was sometime in February that the people were apprehended, and you left in the beginning of March, in the year 1817.

Q. You stated that you knew very well the circumstances of my family in the year 1816? A. Yes.

Q. How did you know them? A. From your wife's account.

Q. How long had I been in business then? A. I think only a few months.

Q. Then it is to after my being in business that your answer applies? A. Your family were never out of distress, whether you were weaving or acting as an agent.

Q. Had you any opportunity of seeing the domestic state of my family? A. I had; I was often at your house, conversing with your wife, and a poor broken-hearted woman she was with you.

Q. Did you ever see me in my house? A. No; you were never there when I was.

Q. Had you in fact any opportunity of knowing anything at all of my circumstances? A. Only from your wife's description—the miserable appearance of your house—and your children going about in rags, crying for victuals.

Q. Do you recollect my leaving the place? I recollect nearly the time you left.

Q. Do you know anything about where I went to? A. I could not tell where you went to. It was impossible for me to know, except from hearsay.

Q. Did you hear of my going to New Lanark? A. I did hear of that.

Q. Did you see any furniture going away? A. I saw some new furniture, household furniture; but where it went to, I cannot say.

Q. When did you see the furniture going? A. Just about the time you left, in the month of March.

Q. Who was this Ferguson you spoke of? A. He was a weaver, and his father had a shop next door to William White's.

Q. Did you ever hear any statement made by me, before the time you have mentioned? A. Yes, often, in the weaving shop.

Q. What did I say? A. That it was time to resist the damnable villanous government.

Q. Have you any recollection about what time that was stated? A. In December.

Q. Had I had an opportunity of having much conversation with you? A. Yes, in 1816.

Q. Did you know, or did you hear anything, about that time, relative to my going to New Lanark? A. I heard you speak of it yourself.

Q. Do you know Mr Driver of Dryburgh? A. I do not.

Q. Are you in the habit of going to any public house in Glasgow? A. No, Sir; it will not do for me.

Q. Do you know a person named Baird, keeping one just now? A. No, I do not recollect such a man.

Q. Do you know a man of that name keeping a coffee-shop? A. No, I do not.

Q. Have you not been in such a house, within the last six or eight weeks? A. Not I, Sir; not to my knowledge.

Q. Are you in the habit of getting intoxicated? A. I have been intoxicated.

Q. Are you in the habit? A. No, Sir; by no means.

Q. (*Fiercely,*) Now, Sir, in point of fact, were you not intoxicated in the house of a person named Baird? A. No, Sir; I do not know the house.

Q. Had you no conversation with Mrs Baird? A. No, Sir; I do not know the woman.

Q. Were you intoxicated within the last six weeks? A. No, Sir.

Mr Baron Parke. These are not fair questions.

Q. Do you recollect having been intoxicated within the time I have mentioned? A. No, sir, I was not; I do not know any person of the name in Glasgow.

Q. Well, you recollect the time the people were arrested in February 1817? A. Yes, I do.

Q. You recollect the trials; did you know any of the parties? A. No, sir, I did not. *Ironically, You were very kind to me on that occasion.* (*Laughter.*)

Q. You were not at any meetings after that? A. No, Sir.

Q. Did M'Kinlay say anything about what you should do? Did he not command you to attend meetings? A. No, sir, he did not.

Q. After the trial, what passed, then? A. I heard him state the regret he felt at having allowed himself to be entrapped; and giving great praise to the lawyers for the way in which they had defended him.

Q. Did you tell him the manner in which you were sworn? A. I did not need to tell him; he knew perfectly well.

Q. Did you tell any one else? A. Yes; I told Nesbit and M'Lauchlan.

Q. Do you recollect anything having been said about it in the newspapers? A. I was not in the habit of reading the newspapers. I heard a great deal of talk about it, in the public.

Q. Did any one come to you, about the matter? A. No.

Q. Then you think you were very kindly dealt with, because there was no notice taken of you at the time? A. (*With an ironical smile,*) I do, Sir.

Q. When did you first state the circumstance of your receiving the oath? A. You were the very first man; when I reflected on my conduct, and told you I was afraid there were some Windsors amongst us.

Q. You had, then, some reason to suspect me—on what ground? A. Your going about among your neighbours, and advising them to take the oath, and you keeping yourself aloof.

Q. Was I regularly engaged in business, all day, at this time? A. I don't know how you were employed; but, at the meal-time, you were always haranguing the people and making long speeches. (*Laughter.*)

Q. (*Imperiously,*) Do you, in point of fact, remember my coming home at meal-times, at all? A. Yes, perfectly well, Maister Richmond.

Q. To dinner, or what? A. You often took breakfast before you went away. (*Laughter.*)

Q. How far off was my warehouse? A. About half a mile.

Q. Do you know whether I had a warehouse at all? A. I never was in it: but I was told by Matthew Jenner you had; and that you were so negligent of your business, that you never sold one piece of his goods, and he was obliged to take them away from you. (*Laughter.*)

Q. Now, Sir, how long had you been in the Calton, before this association, or bond of union, was submitted to you? A. I had been in the Calton for many years; I was, part of the time, up in the Gallowgate.

Q. How long had you been, immediately before this? A. I suppose about a year, or thereabouts.

Q. (*Sternly,*) Now, Sir, upon your oath, do you swear that you ever heard me make any allusion to an oath or bond of union, or ever saw a vestige of anything of the kind in my possession? A. Yes, Sir, I do.

Q. You do, upon your oath? A. I do, most solemnly.

Q. What time of the day was it? A. In the morning.

Q. What part of the premises? A. It was not on the premises at all. When I came out of the shop-door, Ferguson and you were standing on my left hand. You had a slip of paper in your hand.

Q. What! was I standing with it openly in my hand? A. Yes; but, when I came forward, you turned it over, so that I might not see it.

Q. Had you ever heard anything of it before? A. From yourself, often.

Q. Was that paper taken out and read to you? A. Yes: you read it yourself.

Q. Was this in an open thoroughfare, or in a retired place? A. It was a common thoroughfare; but being a very dirty one, you will mind, few went through it.

Q. Was it at the breakfast time? A. No; rather before that. It was about eight o'clock.

Q. Was there no ceremony at all, but the oath taken out and read to you at once? A. You put it on one side; and then remarked to Ferguson, that there was no danger, for you knew *my* sentiments.

Q. Was Ferguson an acquaintance of yours? A. I had never seen him till that morning; but I met him frequently after.

Q. Could you state anything of the purport of the paper I read? A. It was drawn out in the form of an oath, binding all that took it to resist the Government, both morally and physically.

Q. When was it? A. In the beginning—the first week in January.

Q. Was that paper anyway long? A. No; not very long; about six inches square.

Q. Did Ferguson make any proposition to you, when it was read? A. Yes; and you also.

Q. What was it? A. After you had persuaded me to join it, Ferguson said he would take me to a place where I could take it that night.

Q. Well, was it the same evening you went? A. Yes, it was; and, to the best of my recollection, about eight o'clock.

Q. Did Ferguson go with you? A. Yes, he did.

Q. Had you any acquaintance with the parties you met there? A. Yes; I knew M'Kinlay.

Q. Did you know M'Lauchlan? A. No.

Q. What was the introduction? A. Ferguson told them he brought me there for the purpose of taking the oath.

Q. How was it administered? A. Andrew M'Kinlay administered it in the same way as a Scotch oath; holding up the right hand. He said the words, and I repeated them.

Q. Have you ever seen it since? A. Yes; in your book.

Q. Now, you are quite certain this was the first week in January? A. Quite certain.

Q. And, when you saw the oath in my book, were you certain that it was the same? A. As near as I could remember, it is.

Q. Did you ever take any one to take the oath? A. No. I reflected immediately, and refused to have anything to do with it.

Q. Could you tell, on meeting any person, whether he had taken the oath? A. Yes. We had a sign, by throwing the hand across the face, and griping the left ear; but I do not recollect it perfectly now.

Q. Were you instructed, by these signs, to know one another? A. Yes.

Q. Had M'Kinlay any paper? A. No; he had the oath on his memory.

Q. Did you ever hear M'Kinlay say that he had ever spoken to me? A. (*With great energy,*) Yes, Sir; and not only that, but I have seen you and him speaking together often, and speaking to me too.

Q. Where was that? A. In the Begger Row, in the Calton, and in the Brick Fields.

Q. Was that on any particular business? A. All the business I ever knew you to be in; and that was politics. (*Laughter.*)

Q. Had you any knowledge of the circle in which I associated? A. No: not further than knowing William White, John Nasmyth, and several others with whom you were acquainted.

Q. Were either of those you have named in the habit of interfering in politics? A. Oh, yes.

Q. Did Mr White ever interfere in politics? A. Oh, yes.

Y. In what shape? A. Not in the shape you did. *(Great laughter.)*

Q. Come, Sir, answer my question? A. He often spoke about the state of the country. You know it was the general habit of the weavers.

Q. Now, Sir, I put this question to you again, and for the last time: Do you affirm, upon your sacred oath, that you saw me, in the first week in January, exhibit an oath, which, on the same evening, was administered to you by M'Kinlay? A. Yes, I do.

Q. How long is it since you stated this publicly? A. That I took the oath? Why, I stated it quite publicly in 1817.

Q. Have you seen M'Kenzie much of late? A. No. I have no acquaintance with him.

Q. What are you now? A. An engine keeper.

Q. What wages have you? A. 13s. a week.

Q. Have you any family? A. I have.

Q. How did you come here? A. Mr M'Kenzie called upon me, and asked me if I knew anything about the matter. Andrew M'Kinlay introduced him to me.

Q. Well, what did you say to him? A. As near as I can recollect, the same as I have told you.

Q. What time was it? A. In the beginning of this year.

Q. Were you summoned lately, to attend this case in Glasgow? A. Yes.

Q. Do you know there was a Commission sitting there a short time ago? A. Yes.

Q. Were you summoned to attend it? A. No; I was not.

Q. Then, when did you hear first that you were to be examined? A. I was told so in Glasgow.

Q. Who told you so? A. Mr M'Kenzie.

Q. What did he say you would be paid for coming here? A. My wages and expenses.

Q. Had you anything advanced? A. Yes; we had money to support our families during our absence.

Q. Who came with you? A. Various witnesses. There was Mr Wotherspoon, Mr Craig, and others.

Q. How much did you get? A. £2.

Q. Was your passage paid? A. Yes, it was.

Q. Who paid it? A. Mr M'Kenzie.

Q. Are you to receive anything else? A. My expenses.

Q. Were you ever in London before? A. Yes; in 1809.

Q. Was it inconvenient for you to come away?—but I suppose you liked the jaunt? A. No, I cannot say I do. This is not the most pleasant time of the year to be from home. (*Laughter.*)

Q. Now, Sir, I again ask you, whether, during the time the Commission was sitting, you did not state to a Mrs Baird, that, when you were tipsy at one time, you had told an untrue history of the oath? A. Never.

Q. Do you not know any person of the name of Baird? A. No.

Q. Do you know—I ask it as a matter of history—that there was a person of that name hanged at Stirling? A. Yes, I believe there was.

Mr Baron Parke.—What has that to do with this matter?

Q. *By the Plaintiff.*—Do you know whether a brother of that man's keeps a public-house in Glasgow? A. I do not.

Q. I again ask you, do you know a person named Dryburgh, a schoolmaster? A. No.

Q. Did M'Kenzie come up to town with you? A. Yes.

Q. When he called upon you, did he take down in writing what you told him? A. Yes: he took a note of it on a small piece of paper.

Q. He called upon you for the purpose of taking it down? A. Yes

Q. How long after that was it before he called upon you again?—Did he not call upon you when the Commission was sitting in Glasgow? A. No.

Q. Then, did he never call upon you between that time and the time he came to tell you, you were to come up here? A. Yes; he did once.

Q. What was that for? A. To ask me whether I was correct in my statement, and if he had taken a proper note of it.

Q Did you ever see Mr Tait? A. Yes: *(Looking towards Mr Tait,)* I see him just now. *(Laughter.)*

Q. Did you see him when you came up? A. Yes; we went and saw him at his lodgings.

Q. Oh, you were addressed to him like a parcel, were you? A. It might be so; but it was not a "*Green Bag*" parcel, Maister Richmond.—*(Great laughter.)*

Q. He did not, of course, give you any instructions as to what you should say? A. No, sir; no one ever gave me instructions upon that point but yourself.—(*A laugh.*)

Q. Where do you live? A. In Bell's Buildings, Salisbury Square.

Q. On the morning you have alluded to, when you say you saw that paper in my hand, what was done with it? A. You put it in your pocket.

Q. Then Ferguson did not take it? A. No, he did not.

Q. Did you hear Ferguson say anything more, when you were going away? A. No; we separated altogether immediately upon my acceding to join the association.

Q. Was Ferguson arrested? A. No, sir; he was not.

Q. After taking the oath, and getting the signs, you never had any more to do with it? A. No; I knew only the three men I have named.

Re-examined by Mr Serjeant Talfourd.

Q. Do you know the reason why you and Ferguson were not arrested? A. I do not, sir; unless it was that Richmond thought we knew too much of his private character.

Q. When was it that he got the new furniture spoken of? A. It was just about the time he disappeared.

Q. You have been asked about his going to New Lanark: When was that? A. It was about the latter end of 1816, when he told us himself, he was going to be factor at Mr Owen's.

Q. Had you any conversations with M'Kinlay about what Richmond had said? A. Often.

Q. Were they upon the same subject, and relating to what passed in January 1817? A. Yes, they were, most distinctly.

By a Juryman.—Q. I think you stated that you knew some of Mr Richmond's acquaintances: Were any of them taken up on the 22d February? A. Not any of them.

Robert Craig, *examined by* Mr Platt.

Q. Mr Craig, are you a weaver, residing near Glasgow? A. Yes.

Q. Is Parkhead the name of your place? A. Yes.

Q. What is your age? A. 58.

Q. Do you remember the circumstance of public meetings in Glasgow in 1816? A. Yes.

Q. Did you attend any of those meetings? A. Yes.

Q. Did you see Mr Richmond at any of them? A. Yes. I remember meeting him in December, in that year.

Q. Was it in the beginning or end of December? A. I cannot be positive as to the date; but I think it was near the beginning.

Q. Do you remember the Thrushgrove Meeting? A. Yes.

Q. Was it before or after that meeting? A. It was shortly after.

Q. How long? A. I am not quite exact as to dates; but I think it was in December.

Q. In what part of Glasgow did you meet him? A. In the Trongate, just a little above the statue of King William.

Q. Do you remember how he addressed you on that occasion? A. Yes, Sir.

Q. How was it? A. He laid his hand on my shoulder, and said, "Is this you, Mr Craig?" (*A laugh.*) I recognised him, and acknowledged it was me. As we had formerly been acquainted, the usual greeting took place. He said he had heard I had been attending some of these public meetings; I said, I had; then he said, What a damned fool I was! (*Laughter.*)

Q. What were these public meetings for? A. Some of them were for applying for the parish allowance, and others of them for petitioning for Parliamentary Reform.

Q. Well, what further did he say? A. I said I did not think so. He replied, Was I not aware that something more efficient ought to be done? I said, Perhaps I might be aware of that, or think so; but that, at the time, I was in favour of the public meetings, and thought they were necessary.

Q. Did you two afterwards adjourn to Elliot's tavern? A. Yes.

Q. Did you take some refreshment there, together? A. Yes, Sir.

Q. During the time of it, did Richmond express himself in any way, about these meetings? A. The subject on which we had been speaking was continued; and a kind of argument took place between us; Mr Richmond insisting on the necessity of something more efficient than public meetings, to benefit the nation, and that the voice of the people should be carried into effect in some other way than by public meetings or petitions.

Q. Well, what further? A. He again said, was I not aware that something of a more efficient kind was in operation? I said, I was not aware of that.

Q. *Mr Baron Parke.* Was that true? were you not aware of it? A. I was not, my Lord, aware that anything of the kind was in operation.

Q. *Mr Platt.* Well, what more? A. Richmond said, he could assure me that something was in operation; and men of the very first respectability were taking an active part in it; and ample means were in readiness to put it in execution.

Q. Did he mention the names of any persons? A. Yes; Mr Kirkman Finlay, Mr Francis Jeffrey, and Mr Cockburn.

Q. Did he mention any others as well as those? A. He did mention some others; but I do not recollect them.

Q. Did he give you any advice as to what you were to do? A. No, not properly. He said it was my duty to take a part in those efficient measures; and if I would call upon him at any time, he would have me introduced.

Q. Do you recollect any thing further that passed at that time? A. There was a great deal of conversation; but I do not recollect what it was.

Q. Did you go with him to be introduced? A. No. I said I would *think* of it. (*Laughter.*)

Q. Do you remember meeting him again in Glasgow? A. Yes, about ten days afterwards.

Q. Where was that? A. In Bell Street.

Q. Was a person named Brown there, at the same time? A. Yes.

Q. Were there any other persons but you there? A. There was a gentleman along with them, when I first saw them, but I did not know him.

Q. Were those three persons in company? A. Yes, they were.

Q. Were you on the same side of the street? A. No. I was on the opposite one; but Richmond crossed over.

Q. Did he come alone? Did he leave the other persons behind him? A. He left them behind him.

Q. When he came up, what did he say? A. After the common salutations, he asked me whether I had been thinking of what he had told me on a former occasion. I said, I had, a little. He asked if I had come to a decision. I said, Not as yet; I had thought a little about it, but had not yet decided. He said, I was a damned fool for not having come to a decision; the matter was in high operation, and that I ought to take a part in it; that he would seriously advise me to do so; and begged that I would call upon him to-morrow, and he would inform me all about it; that the numbers were still increasing; and again mentioned the respectability of those who were at the head of it; that they were very respectable, and had the command of plenty of money; and there was no doubt but that the attempt would be carried to perfection, and he believed the numbers amounted to 100,000; and, again laying his hand upon my shoulder, he insisted that I would seriously consider of the matter, and call upon him. I said, Very well, Sandy; I will *think* about it. (*Laughter.*)

Q. Did you ever call upon him? A. No, never.

Q. Did you know Richmond long before this? A. I knew him from 1811.

Q. Do you remember of M'Kinlay and other persons being arrested? A. Yes.

Q. Before that, had Richmond been very well off in the world, or poor? A. From the period of the trial of the weavers for combination in 1813, I had known but very little of Richmond, except from hearsay, until the time he returned from his outlawry; I did not see him, but I understood he was in very poor circumstances.

Q. Well, when did you next see him after 1813? A. I think I saw him only once, till the encounter in December 1816.

Q. Now, did you ever see any of the walls in Glasgow chalked? A. Yes.

Q. About what time was that? A. It was immediately after February 1817, when Mr M'Kinlay and the others were arrested.

Q. What was it? A. BEWARE OF RICHMOND THE SPY.

Cross-examined by the PLAINTIFF.

Q. How long is it, Mr Craig, since you stated the circumstances you have now related, to anybody? A. I cannot precisely say, Sir.

Q. Where are you living now? A. At Parkhead.

Q. What are you earning a-week? A. From 6s. to 7s. a-week.

Q. What family have you? A. I have two daughters at present at home, and a number of others married.

Q. Do you remember the circumstances that occurred after the contest of the association question in 1813? A. Yes.

Q. You say you have not seen me for some time—I suppose you allude to the period of my leaving? A. I do not recollect seeing you much till after 1816.

Q. When was the first time, as far as you recollect, that you saw me, after my return to Scotland? A. I could not say; for I never took any note of it in my mind. I recollect, however, that you told me you were getting an engagement with Mr Owen.

Q. Is your memory perfectly accurate with respect to the circumstances of that time? A. Some of them made a greater impression on my mind than others.

Q. Did you ever see me after 1816? A. Not till 1820 or 1821.

Q. Where did you see me then? A. In Muirhead's public-house in the Trongate.

Q. Where was I going? A. You said you had just come from Edinburgh.

Q. Who was with you? A. M'Kimmie and others.

Q. Was that meeting accidental? A. Yes, it was.

Q. What passed on that occasion? A. Oh, I cannot mind all. I mind well your wringing your hands and saying, "What can minister to a mind diseased?" (*Laughter.*)

Q. Do you remember my saying, the circumstances would soon come to be better known? A. Yes: you said you were going to publish them.

Q. Now, Sir, you have related what passed in 1816—are you quite correct as to the time? A. I am quite certain as to the month, but not as to the days. I took no notes of dates in my mind.

Q. Aye, dates are ticklish things for such a witness as you. What was the state of the country at that time? A. It was, as far as I knew, very tranquil; but there was a good deal of distress, and meetings were being held for the purpose of getting aid from the parishes, and an extension of the franchise.

Q. Do you know that the distress was so great that a public subscription was set on foot? A. Yes; I believe there was.

Q. Was not the distress very severe, before the subscription was set a-going? A. Very severe.

Q. Was there a good deal of excitement in the public mind, in consequence of that distress? A. I don't know exactly what is meant by excitement. There were meetings held, in order to find out the cause. Some thought it was from one cause, and others thought it might arise from another.

Q. Do you recollect whether that state of distress of the working classes was the topic of our conversations; because I want to know what you mean by the allusions

you have made respecting the two conversations you had with me? A. The topic of your conversation was as to the state of the government.

A. What do you mean by that? A. It was as to the rights of the people in the government of the country.

Q. I want to know exactly your meaning? A. I tell you that it was understood between us. You said public meetings for reform were all damned nonsense. (*Laughter.*)

Q. Were petitions in the act of being prepared to be presented to Parliament, in favour of reform? A. Yes; they were for the purpose of obtaining universal suffrage and annual parliaments.

Q. Were you friendly to those questions? A. Yes.

Q. Were your sentiments well known? A. Yes.

Q. You had been a delegate to the general committee of the association of the weavers, which led to the action before the Session? A. Yes.

Q. You were well known in your own district? A. Yes.

Q. At the time I am speaking of, had you taken any active part in favour of reform? A. Yes.

Q. What had you done? A. I had moved some resolutions, at public meetings for reform.

Q. Had you been active, in any other character, upon that subject? A. No.

Q. Do you remember what state your district was in? A. Yes; it was quiet.

Q. Did you draw up the petition, upon the occasion of the meeting in your district? A. I acted as a member of the committee.

Q. Had you always been very moderate in the expression of your feelings upon the subject? A. As far as I can judge of myself, I was.

Q. You were friendly to universal suffrage: were you at the Thrushgrove meeting? A. Yes. I took no active part in the meeting. I was there merely as one of the audience.

Q. Did the folk of Parkhead petition separately, or collectively, on that occasion? A. We petitioned along with the Barony Parish of Glasgow.

Q. You went as far as any other part of the country, upon the occasion? A. Yes.

Q. Had you any deputies sent to Glasgow from Parkhead, for the purpose of forming a general corresponding society? A. No, Sir.

Q. You were not yourself a delegate for that purpose? A. No.

Q. No injury can now arise from your answering this question:—Did you belong to any of the unions in 1818 and 1819? A. Yes.

Q. Did you take an active part? A. Yes.

Q. Did you take an active part in the meetings for reform in those years? A. Yes.

Q. In point of fact, were you not very active at these meetings? A. As active as my abilities would admit.

Q. You were a member of the political unions of 1819? A. Yes; but there were no secrets in them—all was open. What you recommended to me in 1816, was a secret conspiracy to overturn the government.

Q. Was there any allusion to any specific subject, in any one of the conversations you have spoken to? A. Yes, there were allusions; for, as I have already said, we understood each other very well. It was distinctly understood that we were to use physical force to overturn the government.

Q. Did you require to be urged on by me? A. No; not to do that which was right; but if to do evil, I would require to be urged on by you or some other demon.—(*Immense laughter.*)

Q. You did not consider, then, that there was any evil in the measures of 1819? A. No; not in those in which I was engaged.

Q. Were you taken into custody? A. Yes, I was.

Q. How happened that? A. By mistake, I believe.

Q. How long were you in custody? A. About four weeks.

Q. A very disagreeable mistake, I should think. A. (*Drily.*) Yes, rather.

Q. Do you recollect whether you asked me, how I was doing myself, after the difficulties you knew I had been drawn into by the outlawry? A. I suppose I was then not under any necessity; for you had your name up as a commission-agent in the Trongate; and I thought, of course, you were well off, by having it in such a respectable part of the city.

Q. I was always respectable in dress, at that time? A. Yes.

Q. Did you ever see me otherwise than respectable? A. You were always like another weaver. (*Laughter.*) You were one of the select committee, and were paid for that; therefore you could look a little better than others.

Q. You did not know me before; and therefore could not know, that, by being on that committee, I was a considerable loser? A. No. I think you were not; or you would not have continued on it. (*A laugh.*)

Q. Did you ever mention the circumstances you have detailed to-day? A. Yes; I spoke of them to some of my friends.

Q. And you heard the names of Mr Jeffrey and Mr Cockburn, along with that of Mr Kirkman Finlay. A. Yes, I did.

Q. Now, sir, did you understand that any allusion to Messrs Jeffrey and Cockburn applied, or did not apply, to the friendship they had shewn to me individually? A. If I am permitted to tell how I took it, I would say, that you knew well how high they both stood in the opinions of the weavers at that time, and that you mentioned their names in order to influence us. (*Sensation.*)

Q. Well, do you know any of the circumstances under which I got reponed against my sentence of outlawry? A. No, I do not.

Q. Did you know they were counsel for me on that occasion? A. No. They were counsel for the weavers who stood their trial; but you absconded. (*Laughter.*) Perhaps they might be counsel for you, when you came back.

Q. Do you mean to say that their names were used to countenance the appeal to resistance? A. That was my opinion. (*Renewed sensation.*)

Q. You say you knew a good deal of me; did you not think it right to ask me particularly what I meant? A. No. After you was denounced by the weaving body, I did not think it worth my while. You know it was generally considered that you had betrayed them. I know you assisted Mr Kirkman Finlay, in the election at Rutherglen, against the popular opinion, and had a great deal of communication with him, without being sent by the body. (*Renewed sensation.*)

Q. Have you read a book called "Richmond's Narrative?" A. Yes.

Q. Have you seen the facts relative to that election in it? A. No, I have not.

Q. Was not the immediate result of the indictments the trial and conviction of all those who stood their trial, and that all who were advised to run away were outlawed? A. Yes.

Q. Was I excluded from that extreme measure? A. No. I believe you were outlawed.

Q. Then, did I receive any benefit from it? A. No. I only know you were not long away; and when you came back, you got off very easily.

Q. Was that in 1815 or 1816? A. I do not remember the dates. I remember the special facts.

Q. Did you not know that I was in great distress, in consequence of the outlawry? A. Yes, I heard you say so; and I believed it.

Q. And you really understood that Messrs Jeffrey and Cockburn were two of the respectable men alluded to by me? A. Yes.

Q. Have you ever stated in public what I did in 1816? A. I never stated it at a public meeting, but often in a company of friends.

Q. You used to write for the newspapers—did you not? A. Sometimes.

Q. Did you ever write to them about me? A. Yes.

Q. When was that? A. After your Narrative came out.

Q. Did you state all you knew of me, then? A. No, I did not.

Q. Why not? A. Because there was not room in the paper to do so. (*Laughter.*)

Q. Have you ever seen Mr Prentice? A. No.

Q. Or a man named M'Dougal? A. Yes, I have seen him.

Q. He is a sort of gatherer of all sorts of slander—is he not? A. He was what is called a Reporter.

Mr Baron Parke. This really is a waste of time.

Mr Richmond. My Lord, I am very sorry to be placed in such a situation. It is as painful to me as to any one. I cannot get direct answers.

Mr Baron Parke. You cannot complain of not getting direct answers from this witness, at least.

[A sheet of the *Glasgow Chronicle* was put into the hands of the witness.]

Q. Is that the letter you wrote on the occasion you have alluded to? A. Yes it is, I think, *verbatim.*

Q. You don't mention anything of these conversations in it? A. No.

[The witness wished to see the letter; and the plaintiff seemed desirous of examining him upon it without his being allowed to see it. The plaintiff wished to withdraw the paper: but to that *Mr Serjeant Talfourd* objected. *Mr Baron Parke* to the plaintiff,—"You cannot withdraw it now. You have asked questions upon it; therefore it must be put in." Richmond reluctantly complied. It was dated the 5th April 1825. Mr Craig's letter was read by Mr Walton, the marshal.]

Q. *Richmond.* Having heard the whole of the letter read, does it recall it to your recollection? A. Yes.

Q. Then, tell me why not a word was said about these alleged conversations? A. Merely because of the length to which it would have gone.

Q. Why, when trying to inculpate me, did you take a third party? A. Merely because I thought it the strongest case. Biggar's I thought the most important case. That was the only reason why I gave it.

Q. Did you consider that stronger than a direct communication from me, that there were 100,000 men ready to take up arms? A. Yes, I did at the time.

Q. Did M'Dougal tell you, after that letter had appeared, that Mr Prentice would be glad to have any other statement? A. No.

Q. What did he call upon you for? A. To shew me a copy of the letter, and to ask me whether it was correct or not.

Q. Did you tell him you knew any more of the matter? A. Yes.

Q. Did he take notes of it? A. Yes, he did; because he said he was going to write a History of the Spy System!

Q. Permit me to ask you, how you knew there was only about a dozen of people in the concern altogether? A. From all that I could learn, and I made particular inquiry of those who were connected with it. Among others, I asked Robert Combe, who was arrested with the others, in the Wynd.

Q. How long is it since you had communication with the parties who have brought you up to London? When did you communicate to them the facts you have stated to-day? A. I think it is from six to eight months since.

Q. Whom did you make it to? A. Mr M'Kenzie.

Q. Did you go to him, or did he come to you? A. He came to me.

Q. Did he say for what purpose he came to inquire? A. Yes. He said it was because you had brought an action for a libel, and they wanted to know the truth.

Q. And you told him? A. Yes.

Q. Had you any further communication after that? A. Yes.

Q. When was that? A. It was some time before the commission sat in Glasgow, when I had a communication with Mr M'Kenzie, Mr Tait, and another gentleman I did not know.

Q. Did they call upon you? A. Yes, at my own house.

Q. Did they tell you, you would have to come to London? A. No: they said I would be examined.

Q. They did not pretend to tell you what you should say? A. No: there was no need for that.

Re examined by Mr PLATT.

Q. I see this letter appeared in the "*Glasgow Chronicle*" on the 5th April 1825. Was Biggar then living? A. I think he was, but I could not be positive.

Q. Is he since dead? A. I heard so, about half a-year ago.

Q. Were you well known among the weavers in 1816? A. Yes.

Q. Had you considerable influence among them? A. Yes, about Parkhead.

Q. Do you think, if you had been induced to join the conspiracy, others would have followed your example? A. Yes, I think a great many would.

Q. You have said you were in custody—when was that? A. In 1819.

Q. How did you come out? A. On bail.

Q. You said you supposed it was by mistake; were you ever troubled after? A. No.

Mr JOHN MILLER *examined by* Mr SERJEANT TALFOURD.

Q. You are a bookseller and publisher in New Bridge Street, Blackfriars? A. I was, in 1824.

Q. Did you publish this book? (The Narrative) A. Yes.

Q. For Mr Richmond? A. Yes, at his desire.

Mr DAVID PRENTICE *examined by* Mr SERJEANT TALFOURD.

Q. I believe, Mr. Prentice, you live in Glasgow? A. Yes.

Q. Are you the editor of the *Glasgow Chronicle* there? A. Yes I am; and have always been, since it was first started.

Q. How long have you been so? For twenty-three years.

Q. Did you know Mr Richmond in 1816? A. Yes. He was introduced to me by Alexander Stevenson, as a man able to give me some information about the theft of weft by the weavers.

Q. Did he at any time tell you of an engagement he had made with Mr Owen? A. Yes, towards the end of 1816, he told me, that Mr Owen, at the recommendation of Mr Finlay, had offered him a situation as assistant schoolmaster. He consulted me, because he thought £50 a-year rather a small salary.

Q. Do you remember the time in February, when some persons were apprehended for traitorous practices? A. Yes, I remember it very well.

Q. Do you remember seeing anything chalked on the walls of Glasgow at that time? A. Yes; I saw, in going from home to the office, the walls chalked, in as large characters as Dr Eady employs here, with the words, "BEWARE OF RICHMOND THE SPY!"

Q. Did you see him on that day? A. Yes; I met him, while on my way to the office, on the street. He evidently wished to pass me without observation. However, I went over to him, and said, "Richmond, what is that?" He said, "Oh, I don't know." I then asked him if it was true; to which he answered, "No." I then said to him, "Go immediately and make an affidavit that it is false; and bring it to me, and I will publish it for you: otherwise, you will be kicked and spit upon, wherever you go." He went away, saying he would go, and do so; but I have not seen him since, until last Saturday.

(*A letter was put into the witness' hands.*)

Q. Whose writing is that? A. It is the handwriting of Richmond. It was put into my hands by John Wilson. (The witness was shewn other two letters.) One of these is written by Richmond, and the other by John Wilson.

Q. Were all of these letters inserted in your paper? A. I cannot say, from these. If you will give me the file of the paper, I can tell you. (The file was in court.)

Q. Had you any conversation with Richmond, before the arrest of the parties in February? A. Richmond was in the habit of calling at my office, and telling me what the state of the working classes was; and then he always stated that he held the same views of general matters as I did, and deprecated all sorts of violence.

Q. You knew M'Lauchlan? A. There was a man of that name that was one of Richmond's victims. I did not know him before that.

Q. Now, Mr Prentice, was any action ever brought against you for the insertion of these letters? A. I for-

get whether there was any brought or not. I got a letter from a lawyer in Edinburgh; but it was never followed up with any proceedings.

Q. You heard no more of it? A. No, never. We heard no more about it.

Cross-examined by the Plaintiff.

Q. About what time, Mr Prentice, do you say that I mentioned to you that I was going to New Lanark? A. It was towards the end of 1816. It might be in November or December.

Q. Did you make a request to me, or did I offer to give a statement of the state of the working classes? A. It is very likely that I might make the request, from what you stated.

Q. Did you not know that I had been placed in such a situation that I would know a great deal about them? A. No; I knew nothing whatever of it then. But I remember your writing letters about the distressed state of the weavers. You said it was so much so, that they were obliged to make a part of their living by stealing the weft, to the amount, in a year, of L.500,000; which they considered as a great calumny.

Q. Had any others called the public attention to the distress? A. Yes, a great many, a number; and, amongst others, I had done so repeatedly myself. It was the constant theme of the paper.

Q. When did the distress begin? A. At the end of the war.

Q. Did you know that I had been in business in 1816? A. I knew it from yourself. You told me you had begun it, under the patronage of Mr Kirkman Finlay.

Q. Did I say nothing of Mr Jeffrey? A. Yes, you said you were introduced by Mr Jeffrey to Mr Finlay, and that he was doing everything in his power for you.

Q. Did no other circumstance occur to you, to satisfy you I was in business? A. No; I never heard of any.

Q. Do you remember offering me a cash-account, in order to enable me to buy cotton-yarn? Is not that a circumstance by which you must have known it? A. No; for you described yourself as in the very greatest distress. It was a matter of mere humanity on my part.

Q. Were any yarns taken, on your letter of credit? A. I think not. I had nothing to pay, at any rate.

Q. *Mr Baron Parke.* To what extent was the letter of credit? A. L.20, I believe.

Q. *Plaintiff.* Do you not recollect an account being owing when I left Glasgow? A. I do not. I was never called upon to pay any.

Q. Had you any acquaintance with Mr Owen? A. I knew him, but that was all.

Q. Had you any correspondence with him? A. Yes, often.

(The Plaintiff wished to produce a letter from Mr Owen, in order to shew that it was ridiculous to suppose that he was only to receive from him £50 a-year. As it was not proved, defendants' counsel objected, and the letter was withdrawn. Mr Owen was in Court.)

Q. Did you give very ready insertion to all letters about me, after 1816? A. Yes; to every important one.

Q. Did you not take some pains to collect them? A. No, I did not.

Q. Did you not give instructions to M'Dougal to do so? A. I did not. I did not think it necessary. The whole matter was developed at first.

Q. Did it not occur to you to apply to Messrs Jeffrey and Cockburn upon the matter? A. That is not my way of doing business. I could not be so impertinent as to refer to them, upon any such a business.

Q. Were you not fully aware that these letters were not written to Wilson for publication? A. I don't know. They were given to me for publication; and I asked no more about it.

Richmond sat down. The witness said, "May I take these letters (the originals) with me?"

Mr Serjeant Talfourd. No. We are not done with them yet.

Mr Prentice. You must not lose them: for I am going to present them to the Glasgow Museum. *(A laugh.)*

WILLIAM WOTHERSPOON *examined by* Mr PLATT.

Q. I believe you reside in Great Hamilton Street, Glasgow? A. I do.

Q. What is your business? A. Making and selling weavers' materials.

Q. In 1816, were you one of the Calton committee for reform? A. I was.

Q. Did you take an active interest in the proceedings? A. I did.

Q. Had you known Mr Richmond before that time? A. Yes.

Q. When had you known him? A. I knew him since 1812.

Q. Was that the time of the strike among the weavers? A. Yes; I was then one.

Q. In 1816, were your meetings for the purpose of petitioning parliament, open meetings? A. All open.

Q. Were two persons, of the names of Campbell and M'Kinlay, of that committee? A. Yes.

Q. Did M'Lauchlan attend? A. Yes.

Q. Do you remember Campbell and M'Lauchlan becoming intimate with Richmond? A. Yes. I remember them being in his presence.

Q. Were they very intimate? A. Yes; I know that they became perfectly intimate.

Q. After that intimacy had commenced, did you observe any change in their conduct? A. I did.

Q. What was the change you observed? A. There was a desire, upon their part, to have private meetings, so that they might adopt more efficient means than petitioning.

Q. Did they, at the meetings, avow that object? A. Yes, frequently; night after night.

Q. Did you support or oppose them? A. I opposed them with all my might.

Q. Was Richmond present when you opposed them? A. No.

Q. Did you ever attend any secret meetings? A. Never.

Q. Do you remember the night on which the signatures were to be attached to the petition? A. I do.

Q. Do you remember when about that was? A. It behoved to be the latter end of December, or very early in January, as our meeting was on the 7th December.

Q. Was it to be signed at the house of Strang? A. The papers for the signatures were distributed about, and were gathered into Strang's house.

Q. Do you remember, when you entered the door of Strang's house, seeing Richmond? A. I saw M'Kinlay, M'Lauchlan, and Richmond, in a room by themselves.

Q. Was that room near the door? A. It was.

Q. Did Richmond address you? A. When I entered Strang's, I said to him, "It is a good night." Immediately that my voice was heard, Richmond's door was thrown open, and I was invited into his presence.

Q. What did he say, then? A. He asked what good I expected to spring from petitioning? I said—In the meantime, I did not expect much good; as I considered the country was not sufficiently alive to the importance of the matter, and was not ready to discharge that duty; but, if it was persevered in deliberately, I expected much good from it. Richmond then said, it was all damned humbug—mere procrastination. Then he referred to those who were managing the Glasgow petition; they were Messrs Lang and Turner, who, he said, were merely amusing the people, to effect their own worldly ends. The country was now in such a state, that nothing but physical force could effect amelioration to man. Revolution was absolutely necessary. He knew it; for, of late, he had been corresponding with the highest, the best, and the most influential of the nation; and that was now their opinion. He knew a damned sight better than we could possibly know; and, if such an organization was formed among the working classes, which they were anxiously waiting for, they would shew themselves, and come forward; and he knew that there would be no means awanting, nor any lack of skill, in conducting the matter to success.

Q. Did you, thereupon, make any remark? A. I did.

Q. What did you say to him? A. I said, Whatever his opinion might be, these were not the sentiments I held. I had always put more confidence in, and thought

that moral suasion would effect more good than physical force; and that I did not expect that he would have uttered such sentiments in my presence; and begged him not to do so again. I then rose and left the room.

Q. Now, do you remember having any conversation, previous to that time, which gave you an opinion of Mr Richmond? A. I do.

Q. How long before that conversation? A. I cannot say. It was in an argument, in a weaver's shop, upon the causes and influences of the loss of trade; when he declared to me, that, if he thought he was doomed to work at the loom all his life, he would take a knife and cut his throat, or a rope and hang himself. *(A laugh.)*

Q. Now, from the time you saw Richmond at Strang's house, until the trial of M'Kinlay, did you again see Richmond? A. No, I did not.

Q. Did you see him after the trial? A. Yes, on a Sabbath day.

Q. Was that the day after the trial? A. Yes. It was in July 1817.

Q. Did you speak to him on that occasion? A. I did.

Q. Where did you see him? A. I met him on the shore at Leith, accidentally.

Q. Who was with you at the time? A. Mr Strang, Mr M'Millan, and an Edinburgh man whom I did not know.

Q. Did you point out Richmond to them? A. I did.

Q. Did you then go up to him? A. We did.

Q. Did you address yourself to him? A. I did.

Q. What did you say? A. I said, I did not expect to see him at that place; but that I had expected to see him at the trial.

Q. Were you at the trial? A. Yes. I was examined for the prisoners, as an exculpatory witness.

Q. What did he say to that? A. I said, I expected to see him at the trial. He said, "By the by, how has that business gone?" I considered it was in a sneering manner, and said, "You need not ask that question; you know it." He said, "Why, yes, I believe I do." He then tauntingly said, had they taken his advice, the result would have been very different.

Q. Who did you suppose he meant by "they?" A. The crown lawyers. I said, "Why, Sandy, I expected to have seen you yesterday at the trial; but you seem not to have the courage of your friends, Oliver and Castles, who appeared in Court with the robes of blood upon their backs." He stood aghast—I said again, "Sandy, this has surely been a good paying job; for, when you were in the Calton, your little ones could not come out for dirt and rags." He had then one in each hand, dressed in green shoes, and everything else very elegant. He turned, and went away haughtily, saying, "I don't care a damn for you." And neither did I for him. That finished our correspondence. *(Laughter.)*

Q. Did you observe the walls marked with anything after the trial?

Mr Baron Parke.—Is not that already sufficiently proved?—After a short pause, his Lordship said, "Go on."

Richmond, (who had been on his feet.) My Lord, with such witnesses, I cannot do anything. I do not think it necessary to ask this one a single question. I now propose, with the utmost respect, that, as the defendants are going to read part of my book, the whole of it being in evidence, it should all be read. I do not see that justice can be done by reading detached passages. I think it should all be read.

Mr Baron Parke. What! the whole of this book?

Richmond. In the opening for the defendants, the circumstances were garbled. The case is to me of the very utmost importance; and as the book is now proved and in evidence, I submit that it should be read.

Mr Baron Parke. The defendants will read such parts as they propose; and you will have an opportunity of reading any part you wish, in connection with the part selected by them.

Richmond, (to Serjeant Talfourd and Mr Platt.) What are you going to do with the Commission?

Mr Serjeant Talfourd. Nothing. *You* rendered it abortive, and of no use.

Mr Baron Parke, to Richmond.—You did not join in it; and therefore you cannot force them to put it in.

Mr Walton, the judge's marshal, then read the following passages from Richmond's narrative:—

For the Defendants—From page 41, "To get out of the jurisdiction," down to "I applied to Mr Campbell of Blythswood," page 42.

For the Plaintiff.—From page 44. "I had suffered much from anxiety," to "in a very flattering manner," page 47.

For the Defendants.—From page 56, "Mr Finlay continued," to "the end of 1816." But it may not be amiss to give the three sentences immediately preceding.

"[Alexander Maconochie, Esq. now Lord Meadowbank, was Lord Advocate, and the late James Wedderburn, Esq. Solicitor-General for Scotland. These two officers, but more immediately the former, have the sheriffs of counties under their control, and are responsible for the preservation of the public peace. Being but lately appointed to office, they had very little experience; and no very high opinion was entertained of their capability, either by the ministry or the local magistracy. Robert Hamilton, Esq. Sheriff Depute of the county of Lanark, had a good disposition, but was in bad health; and did not possess the general qualifications and activity to be efficient in such a situation, particularly in difficult times; and the Lord Provost for the time being, with the whole Magistrates of Glasgow, was equally inefficient.] Mr Finlay continued to occupy a seat in the House of Commons: all the magistrates looked up to him and were under his influence. He filled no official civil situation, but, in consequence of the general imbecility, in conjunction with J. Reddie, Esq. advocate, assessor for the city, he had, *de facto*, the whole local government; and, in addition to the regular channel of communication with the law officers of the Crown, corresponded directly with Lord Sidmouth, the Home Secretary of State. Such was the state of the country and my situation, at the end of 1816."

For the Plaintiff.—From page 58, "Mr Finlay said they knew," to "for their sufferings," page 59.

For the Defendants.—From page 59, "The meeting of Parliament," to "as to require their assistance," page 64; also the note on page 69.

Read also for Defendants.—From page 69, "The name of the second," to "all my calculations," page 73.—Most of this has been already quoted in Mr Serjeant Talfourd's speech. The rest is here given:—

"The magistrates of Glasgow were not in the secret, depending wholly upon Messrs Finlay and Reddie; who assured them they were in correspondence with a person who would apprize them when any serious danger approached. This assurance, however, was not always sufficient to allay their apprehension. The Lord Provost was so much alarmed, that he would not sleep in his own house for several nights, although assured by his friends he was in perfect safety. On one occasion I was waited for, at eleven o'clock at night; as he would not venture to his bed, until Mr Finlay actually saw the person, in consequence of some rumours he had heard during the day. These rumours were purposely set afloat, to deceive the magistrates: and even Mr Finlay, although apprized it was a part of the policy, was not always free from their influence; daily references being made to me to ascertain the truth."

"Much has been said of my instigating these men, in the preliminary part of my proceedings; but such was not the fact. They certainly, for a time, believed me friendly to the measure. Any directions, however, which I gave them, (although they were unconscious of it,) were a direct check upon the organization; which would have extended with greater rapidity, had it been left to its natural course."

"From my acquaintance with the leading men in the manufacturing towns and villages in Scotland and several parts of England, they constantly solicited me to point out the proper persons for them to apply to, who were most likely to be useful in extending the organization. To keep up appearances, I several times complied with their request; and, in some instances,

advised such delegations; but gave the names of men who, I knew, had too much judgment and prudence to engage in it; and where I had any fear of their coming in contact with persons who might be misled by their misrepresentations, I previously gave those persons warning, and put them upon their guard; so that, in no instance, did they succeed: which tantalized and disgusted the parties sent upon missions, fomented divisions, and exhausted the trifling funds they were able to command. I did not condescend to use dissimulation, by any arguments in favour of their plans. I obtained all my information by pointing out difficulties and bringing forward objections. I knew the whole history of the organization formed in Ireland, which led to the rebellion in 1798, and the attempt in 1803, as well as those formed in England and Scotland, from 1793 to 1798, both from the public documents, and from personal acquaintance with parties who had been actors in them all. I produced the minutes of evidence taken by the Parliamentary Committees, to shew them the impossibility of any secret organization existing without coming to the knowledge of government; which had the effect of shaking their faith, and making them condescend more particularly on the means they had taken to avoid detection; but, like all other persons similarly situated, they believed they were a great deal wiser than those who had gone before them.

"After being introduced to Campbell, I paid little more attention to M'Lauchlan, than merely to keep him in countenance; and finding the total inefficiency of the whole tribe of emissaries employed by *authority*, I was obliged to point out a person who I thought competent to the purpose, and the channel through which I believed he might be induced to engage in the undertaking. This person was personally known to me, but had no knowledge of my having pointed him out for the employment; nor had I any communication whatever with him relative to it, his reports being made to Mr Finlay and Mr Reddie, and by them communicated to me. He was employed early in January 1817; it was, however, about the end of that month, or the beginning of February, before he was admitted a member; from which period their meetings were regularly attended, and collateral information being received from other quarters, by the middle of February the true state of the matter came to be accurately known. By that time I had succeeded so completely with Campbell, that he had thrown off all reserve; so that the checks to all attempts at misrepresentation, by any single party, were so multiplied, that deception could no longer be practised. From the moment I got fully into his confidence, I turned round upon him, using every argument I was master of, to shew him the utter impossibility of reforming the government by the means they were pursuing, and the positive certainty of such pursuits ending in their own ruin and destruction. I used similar arguments to M'Lauchlan; but, not considering him of much consequence, I did not take the same pains to convince him. With Campbell I had completely succeeded: he had not only agreed to give it up himself, but had engaged to use his influence with the others to do so also. Events, however, occurred in another quarter, which baffled all my calculations."

Read for the Plaintiff.—"I had previously consulted Mr Jeffrey, Mr Cockburn, and my other friends, and, as they fully approved of my closing the engagement, I, without hesitation, agreed; making no other stipulation than, in case of any accident occurring to him, [Mr Owen,] I should be secured in six months' salary corresponding with the rate my expenses were found to require.—Page 74.

Also the passage, page 74, "I calculated also," to "reform and administer," page 76.

For the Plaintiff, as follows, from page 77:—

"Neither the absolute amount of their numbers, nor its progressive advance, was accurately known, even by themselves; for in this, as well as in many other things, they deceived each other. They had, at first, all assembled together; and, as their numbers increased, they formed small primary societies, consisting of from twelve to sixteen members. A delegate from a certain number of the primary societies formed a divisional committee; who again sent one delegate, to form a central or general committee. For the executive, or general government, the central committee appointed a select one, by ballot, whose names were only known to the secretary and treasurer. But the whole organization was more nominal than real, they having neither ability nor means to render it efficient. It was a part of the plan, that small sums, such as a penny per week, should be collected from each member; but the general poverty prevented them from carrying it into execution; and they never had, at any one time, ten shillings in the hands of the treasurer. An obligation, to keep all the proceedings secret, was taken by every member, on admission. Signs and words were agreed upon, to enable them to distinguish each other; and, according to their own account, these forms were more than once changed and modified. As the ulterior proceedings in Parliament and before the Court of Justiciary, depended more upon the form than upon the substance, I shall distinctly state how the information was obtained. When the person whom I caused to be employed was admitted a member, it was found that an obligation was first exacted, not to disclose what should be afterwards revealed; and then the oath, or bond of union, explaining the nature and purpose of the association, was administered. This corresponded with the general account given me by Campbell; but, to prevent deception, it was necessary to get a confirmation from more points than one. I had never condescended upon the particulars; but, as he had, by this time, communicated all the general facts to me, and put himself completely in my power, I took the first opportunity of ascertaining the details, which agreed exactly with the other account. These statements being only verbal, Mr Finlay expressed great anxiety to obtain a copy from some of the members, in writing; and, a short time after, the person alluded to procured one for him from one of the parties. I never saw either this, or any other copy, in writing. It was, however, the identical document that made such a noise in the House of Commons, and was, I believe, perfectly correct. It made a very imposing appearance at the time; but as it has, like many other things that have served their purpose, long been consigned to the tomb of all the Capulets, I will here transcribe it, for the purpose of refreshing the memory of my readers.

"'In the awful presence of God, I, A. B., do voluntarily swear, that I will persevere in my endeavouring to form a brotherhood of affection, amongst Britons of every description, who are considered worthy of confidence; and that I will persevere in my endeavours to obtain, for all the people in Great Britain and Ireland, not disqualified by crimes or insanity, the elective franchise, at the age of twenty-one, with free and equal representation, and annual parliaments; and that I will support the same to the utmost of my power, either by moral or physical strength, as the case may require. And I do farther swear, that neither hopes, fears, rewards, nor punishments, shall induce me to inform on, or give evidence against any member or members, collectively or individually, for any act or expression done or made, in or out, in this or similar societies; under the punishment of death, to be inflicted on me by any member or members of such societies. So help me God, and keep me steadfast.'"—Page 80.

For the Plaintiff.—Page 81, "They were anxious to conceal," to "appear to be connected with it," page 84.

For the Plaintiff, as follows, from page 87:—

"Those who were friendly to a reform in the representation (among whom almost all my personal friends were numbered) would have considered any connection whatever with the party opposed, however much good it might have accomplished, or however pure my motives, of itself sufficient to damn me. If the disclosure was calculated to militate against the measures of the ministry, all their partisans would have turned round upon me, endeavoured to invalidate my testimony, and held me up as a person unworthy of credit; while a statement of the facts would have been no justification,

and would have seriously prejudiced the case of the accused before trial, even admitting I had acted as an *instigator* or *participator* in the crime charged. In that view, I determined to remain silent, however much I might suffer; to exert all my influence, which I considered would rather be increased than diminished by the fear of exposing their conduct, to check all false information; and, above all, to prevent any prosecution being instituted against those with whom I had communicated, or who had been directly or indiretly influenced by the conduct of any persons employed.

"In these cogitations, almost bursting with indignation, I passed that, to me, memorable and miserable day, waiting with impatience for the time of appointment, to hear what justification Mr Finlay could make for his conduct. When the hour at last arrived, I hastened to the house of Mr Reddie, where I met Mr Finlay. Irritated almost to fury, I branded him with a breach of the agreement made with me, in taking the men into custody, when in the full knowledge of everything being perfectly safe; and for uselessly and unnecessarily compromising me. He first endeavoured to pacify me; and then, to justify himself, he said, that peremptory instructions had been received from Lord Sidmouth, to apprehend all the parties immediately, on the receipt of the order. I replied, that was no reason why confidence should have been broken with me, and that I had a right to have been consulted before they proceeded to put it in execution. He said their reason for not doing so was, *that they were aware I would not give my consent; and as they were obliged to act, they thought it better to do it without my knowledge*. Another reason assigned was, that the report of the Secret Committee of the House of Commons would shew the conspirators that government was acquainted with their proceedings, which might deter them from meeting again, *so that they would not have had another opportunity of finding them together*. I said, if it had produced that effect, it was all that was required, and would have answered the purpose much better than the manner in which they had acted. But my reasoning could not recall the past, nor alter the general measures of which this was only a part. I determined, however, to render the number of sufferers as small as possible, and to do all in my power to mitigate punishment which I could not altogether avert,"—Page 88.

For the Plaintiff.—Page 97, "When I found," to "might make," page 99.

For the Plaintiff.—"On the evening of the 18th of July, the night previous to the trial, I was waited upon by Mr Gibson, writer to the signet, a gentleman who had taken a warm interest on the part of the prisoners, for the purpose of ascertaining what I knew, before they would venture to call me as a witness. I told him they must have some specific design in view, when they summoned me in the former instance; that, if they considered I could have been of service then, I was aware of no circumstance which could alter the case now; that I was certainly well acquainted with every particular connected with the transactions; and, if it was *their* wish or design to enable the country to form a correct opinion, they would have an opportunity of doing so, by putting me into the witness-box; that it was *my* most anxious desire the public should be fully informed of every fact, and I only wished an opportunity of making known the whole truth, without partiality to any party; but in consequence of the rumours that had gone abroad respecting me, (of which he could not be ignorant,) I would not say one word until I was before the Court. I further added, that what I could state I considered would operate materially in favour of the prisoners, and could not possibly injure them, as I did not even know them personally; and that my anxiety to see them acquitted could not be surpassed by their own. A lengthened conversation ensued. Mr Gibson ineffectually exhausted all his ingenuity to elicit the particulars, and concluded by informing me, that, under the circumstances, they could not hazard my evidence; that, from what was formerly known of my principles, he did not believe I had any intention to injure the prisoners, and he gave me full credit for the anxiety I felt upon their account; but that they had a certain line of defence agreed upon, which they confidently believed would prove successful; and, were they to bring me forward as a witness, my statement would possibly *interfere with their plan*. Thus, because a statement of facts would not promote the view of either party, was I deprived of the opportunity of laying open the case to the country; which would have prevented many of the misconceptions that followed.

"Next morning (19th July) the trial of Andrew M'Kinlay, the first person selected, came on before the High Court of Justiciary. The crown lawyers had the greatest confidence in Campbell establishing their case; and as soon as some preliminary objections, brought forward by the counsel for the prisoner, had been overruled by the Court, he was introduced as the leading witness. After being sworn, the customary question in the Scotch Court was put to him by the judge: viz., if he had received any reward, or promise of reward, for giving his evidence; when, to the astonishment of every one, (except the *prisoner's* counsel,) he answered *that he had*. The presiding judge cautioned him, that he was now in no parallel situation with the pannel; and that it was not competent to subject him to prosecution for any concern he may have had in the transactions, after being adduced as a witness, as long as he adhered to the truth. Campbell replied, he was perfectly conscious of the situation in which he was placed; and proceeded to give a minute detail of the circumstances that had occurred between him and the Crown lawyers, at his different examinations. He gave a full account of the threats and promises held out to him; and concluded by stating, that the promise made to defray the expense of his going to the Continent he considered still a subsisting engagement. The counsel for the defence insisted on calling the parties alluded to, to corroborate Campbell's testimony; which was also agreed to by the Lord Advocate; but the court objected to their examination, on the ground that, whether he had correctly or incorrectly stated the circum-tances, he was altogether inadmissible as a witness. The Crown lawyers had reposed so much confidence on Campbell's bringing the charge directly home to the prisoner, that they were completely taken by surprise, and paralysed in the subsequent part of the proof. Their case depended on their being able to establish the *purport* and *administration* of the oath or obligation charged in the indictment; but the law of evidence did not allow them to read it over in connection to the witnesses. The indictment was also very inaccurately drawn; the specification of the acts done at one time and place, and by one party, were transposed and charged against another; and the counsel for the prisoner were too cautious and vigilant to allow any latitude in putting questions beyond the limits of the specifications. M'Lauchlan and three more of the accessaries were successively brought forward as witnesses; but they all swore they could not remember one connected sentence of the oath or obligation they had taken; and the Crown lawyers, restricted by their own specifications, were prevented from putting questions to prove its administration. The Lord Advocate then stated, that the testimony the witnesses had given was very different from what he had expected from their precognitions; and as he could not produce any more conclusive evidence, however much he might regret such a result, the prisoner was entitled to a verdict of acquittal. The jury accordingly returned a unanimous verdict, finding the libel not proven.

"Thus terminated the case, in Scotland, upon which the ministry depended for a justification of their proceedings; and as the propriety of their policy was equally questionable as it had been in England, they also met with as signal a defeat. As the circumstances which led to this unexpected conclusion, on the part of the Crown lawyers, are a little curious, I will relate them, as they afterwards came to my knowledge.

"I formerly stated, for some time after the men were taken into custody, and while the panic and terror of the consequences continued to operate, a number of them had unreservedly disclosed every particular. There were, indeed, only two or three exceptions among the whole party; for, as the Crown lawyers only wanted

a certain number to become witnesses, they had frequently to warn the others, not to make admissions which might militate against themselves, as they could give them no assurance they would not be brought to trial. Even M'Kinlay, more than once, offered to disclose all and become a witness; and there can be no doubt, had the trials been brought on when the examinations were concluded, a number of them would have been convicted. The long delay, caused by the discussions on the relevancy, gave them time to reflect; and the list of witnesses, with the first indictment, showed clearly there was no evidence to produce a convic ion but from amongst themselves. When they were removed to Edinburgh Castle, the witnesses were kept separate from those intended to be brought to trial; but, for the benefit of air and exercise, they were allowed to get out on the ramparts, at intervals, under the charge of sentinels; where many opportunities occurred of eluding their vigilance, and holding communications with each other. The counsel for the defence were excluded from access to the witnesses, but had regular admission to those who were indicted; and the weak parts of the prosecutor's case came to be discovered and pointed out. On discovering those weak parts, it would as naturally occur that there was no law to punish a man for the loss of his memory: and the popular odium attached to a *socius criminis* becoming a witness, and the sympathy and feeling for their confederates, were a strong inducement to make them drink of the Lethean stream. Whether Campbell originally intended the trick played off upon the Crown lawyers, or not, can only be known to himself; and I have already given my opinion on that point. At all events, the want of recollection in him would have but ill accorded with his general character; and the method he had recourse to, was equally effectual in saving his associate. After he agreed to become a witness, he was allowed considerable indulgence; and when he had taken his resolution, he wrote a detailed account of his communications with the Crown lawyers, and the promises made to him, before he would agree to give his evidence. This statement he secretly inclosed, in a roll of tobacco, which he sent as a present to M'Kinlay, who immediately put it into the hands of his counsel; who kept it a profound secret, until Campbell was put into the witness-box. The crown lawyers had not the most distant suspicion; and his answer to the interrogatory, 'if he had received any reward, or promise of reward, for giving his evidence,' utterly astounded them, coming upon them like their death-knell. Nothing could be managed with more address. Mr Jeffrey, on the part of the prisoner, objected to his being received as a witness, on the ground of being refused access to ascertain his character: and a lengthened discussion ensued, before the court overruled the objection; the Crown lawyers insisting that he should, and the counsel for the defence, that he should not be allowed to give evidence.

"When I called upon the Crown lawyers, next day, to learn the particulars of the trial, they appeared like chagrin and mortification personified. Mr Drummond attributed their failure to a want of management, in not, in the first instance, making sure of evidence, to produce a conviction. On the conversation turning upon the means adopted to break up the organizations formed during the administration of Mr Pitt, he, with a strong emphasis, remarked, 'Had the case depended upon the fate Lord Melville, *he* would not have drawn a trigger until he was sure to kill.' The dreadful situation in which it (the trial) had left me, by affording me no opportunity for explanation, was sufficient to absorb all my attention; yet the very awkward appearance they made, the sense of shame and the soreness they felt, at their complete discomfiture, produced in my mind a mixed feeling of pity and gratification; pity, that they should have exposed themselves, in such a manner, by pursuing an erroneous system of policy; and gratification that the men had escaped. I pointed out to the Lord Advocate the superior effect it would have produced upon the minds of the people, had I been allowed to proceed with my plan, to induce them to give up their foolish project of their own accord; and that the best amends which could now be made, would be immediately to liberate all who were in custody. He said, he might be justified in detaining them under the Habeas Corpus Act Suspension Bill; but he now viewed the matter in the same light which I had represented it; in consequence of which he had made up his mind to liberate them all, without delay. He admitted they had acted on a wrong principle; but that the blame was not, in the first instance, attributable to him, but to the local authorities of Glasgow, who had taken the people into custody without orders. He then went on to state, that, on his arrival in London, in February, while the Secret Committees were sitting, he represented that a perfect knowledge had been obtained of the proceedings of the confederacy at Glasgow; that measures were in progress, which he sanguinely hoped would induce the people to abandon it; and, in the meantime, if any disposition was shewn to disturb the public peace, information would be received in sufficient time, to take the necessary precautions to prevent or counteract the attempt; that, in consequence of this representation, it had been agreed, that no interference should take place, unless there was an *actual and immediate* danger of their breaking out into open disturbance; that an order to that effect, was sent to the Solicitor-General in Edinburgh, who transmitted it to Glasgow; and that the first account he received was, that the men had been apprehended, at the meeting on the 22d; that a statement of the reasons for taking them into custody had been afterwards transmitted, which was considered satisfactory, and accounted for the subsequent proceedings; but that the statement made to me, respecting the order being peremptory, *was not true*, it being altogether conditional. I had always entertained strong suspicions on this point, and had ineffectually endeavoured to arrive at the truth, until the mortification and disappointment of the Lord Advocate induced him to relate the above particulars; which, as far as the nature of the order went, were confirmed by the Solicitor General.

I afterwards ascertained the true state of the case. None of the magistrates of the city of Glasgow were consulted; five persons only were present at the deliberation, and there was a difference of opinion, even among them, as to the propriety of taking the men into custody. I could give the names of the parties, as well as the manner each of them voted, but it might appear invidious."—P. 111.

For the Defendants.—Page 155, "The negociation," to "on these conditions," page 156.

The following letter was also read:

Copy of a letter, from Mr Alexander Richmond, to Mr John Wilson.

Leith, July 25, 1817.

My Dear Sir,—You will very likely, before this time, have passed, along with others, a final sentence of condemnation against me, and set me down in the calendar as a damned unprincipled villain. This conclusion you may consider you were justified in coming to, in common with others; seeing that I, long ago, knew the nature of the charges made against me, and have taken no means to refute them; consequently that they were true. That I knew something of the affair, I am perfectly ready to admit; but that I could sooner give an explanation how I came to be connected with it, and how far, was impossible, without betraying a confidence, that, villain as I am considered to be, was rather farther than I am yet capable of going. I am perfectly aware, that any explanation I can give, will not change the opinion a great number have already formed; with others, it will, I am confident, have some little effect; but you are perfectly sensible, that it will be necessary for me to produce something more than mere assertions. Fortunately, I am able to do that, on a number of charges I have already heard; but before I can embrace all, I must be acquainted with their nature and extent. • •

To enable me to meet the case, if a public statement is resolved upon, I would take it kind if you would collect the details of the charges made, without omitting a single circumstance, however black the charge may be

to enable me to meet the whole at once, without being obliged afterwards to reply; as I am aware, I will be exposed to attacks from a thousand quarters. * *

It is useless to say more. Commit the whole of the charges to writing, and I will send you notice by —— where to transmit them. I am aware of the danger you run, to be known to have any communication with me, as it may hurt your interest were it known. It will, therefore, be as well for you to say nothing about it. —— has not the opportunity you have of hearing, or he would have done it. Notice, at the same time, what degree of publicity each of the circumstances has got. I expect an attack in the London papers; and how to act in that case, I do not know; for it will require a pamphlet to embrace the whole case.—Your's, &c.

A. RICHMOND.

The other letter of Richmond's put in as evidence for the Defendants, and, with the preceding letter, proved by Mr Prentice to be in Richmond's handwriting, is a very long one. Mr Serjeant Talfourd only read extracts of it here and there. A few may be given here:—

Considering the disadvantages I had to encounter in life, I have certainly the merit of having acquired a little more knowledge than the generality of those similarly situated, and have got clear of the most of the prejudices that belong to that class. * * * * In this case, I was obliged, for obvious reasons, to use both dissimulation and evasions with my most intimate friends, for a time. But it was to accomplish a greater good; and, as utility is the criterion of my morality, it was in that view perfectly justifiable. * * * * * I have no hesitation in saying, that, in particular cases, I will justify even direct falsehoods, on the same general principle. This letter is dated Leith, 9th August 1817, and is signed—A. RICHMOND.

Mr ROBERT OWEN being in Court, in consequence of a subpœna from Richmond, he was called to the witness-box at the suggestion of the counsel for the Defendants, and *examined by* Mr SERJEANT TALFOURD.

Q. Finding, Mr Owen, that Richmond states, in page 63 of his Narrative, that you were acquainted with the way in which he was engaged, I beg to ask you whether it is true or not? A. I beg leave to say most distinctly, that I had no idea whatever of the arrangements between Mr Finlay and Richmond. Had I known it, he should have been the last person in the world that I would have taken into my service.

Q. What was the nature of his employment? A. He was to assist generally in my plans for the amelioration of the condition of the working classes. I understood that Richmond was highly favourable to the plan; and it was for that I engaged him.

Q. *Mr Baron Parke.* (*After reading the note in page 63, as follows:*—"It may be proper to mention here, that, during this visit, while conversing on the general state of the country, I informed Mr Owen what Mr Finlay had requested me to do, and what I had learned was going forward; and, on my return, I acquainted Mr Finlay I had done so.") Is that true? A. No. I had no idea of what, it appears from that book, Richmond was engaged in.

Q. *Mr Baron Parke.* Did he tell you that he had learned there was a conspiracy in existence, for the purpose of overturning the government? A. No, my Lord. I was not informed that he was acting as a spy.

Cross-examined by the PLAINTIFF.

Q. Do you recollect my visit to New Lanark? A. Perfectly.

Q. The day after my arrival, I called down, and proceeded to take a walk with you and Mr Clegg; we went up to Corra Linn. I am anxious to satisfy you and the Jury, that there was nothing known or done at or before that time. I then mentioned the case, but more particularly to Mr Clegg; and then, if you remember, we talked the matter over. A. Richmond, I have read what you have stated in your Book; and I believe every part of it, where I am concerned, is true, *except that note.*

Q. Do you remember when you came to London, when you were going out to look after the purchase of Harmony? A. Yes, I do. It was in 1824.

Q. Do you remember my waiting upon you, at the York hotel, at that time, with the sheets of this part of the Book? A. That note could not have been in anything you shewed me.

Q. Do you remember the circumstances? A. Why, Richmond, I was acting upon two principles; one of which was, not to connect myself with any political party: the other was, to do my utmost endeavours to benefit the poorer part of mankind; and I should have been the last man in existence to countenance anything calculated to entrap the working classes.

Richmond, (*sitting down.*) So should I. (*Great laughter.*)

Mr Baron Parke. That the Jury are to determine. Can you bring forward any evidence to counteract the strong evidence brought against you by the Defendants?

Plaintiff. Not at present, my Lord.

Mr Baron Parke. Do you suppose you can, at a future time?

Plaintiff. Yes——

Mr Baron Parke. Then you had better withdraw the case from the Jury, and consent to be nonsuited.

Plaintiff. I am exceedingly sorry that the case has to terminate here. I am anxious to address a few words to the Jury, to shew upon what grounds I claim to hold up my head in society—

Mr Baron Parke. You must make your choice. If you address the Jury, the whole case must rest in their hands.

Plaintiff, (*after being advised by Mr Steer.*) My legal adviser concurs in the advice given by your Lordship; and therefore I must consent: though I have a most triumphant case to bring forward upon another occasion.

The Plaintiff was then called by name, three several times, to come forward or he would lose his case at *Nisi Prius.* As he did not answer, a *nonsuit* was entered.

The effect of a nonsuit, it may not be amiss to add, as several provincial newspapers have misapprehended it, is that the Plaintiff cannot obtain a new hearing of the case without first paying the Defendant's costs of the previous suit. A nonsuit is never submitted to, except from the apprehension of a verdict being about to pass against the Plaintiff. As the Defendant's expenses in this case amount to many hundred pounds, there is no chance of the Plaintiff proceeding farther with the case.

The Court had been crowded from the very first, many persons having stopped from the commencement of the cause. This termination of the trial, (after a fifteen hours' patient investigation,) seemed to give high satisfaction to all present, except the plaintiff, his attorney, and his friend, the Rev. Mr——, who countenanced Richmond on this occasion.

To those who have felt sufficient interest in the exposure of the Spy System in Scotland to read the above long Report, the following brief sketch of some of the previous proceedings in the case may not be unacceptable.

In Number XIV. of this Magazine (original series) for May 1833, appeared a review of a Glasgow publication, part of which had been twelve, and all of it six months before the public, unchallenged by any person as inaccurate. The article is entitled "The Spy System, or 'Tis Thirteen Years Since," and extends to about twenty pages, of which five are occupied with the conspiracy of 1819–20, also the work of spies and instigators, which ended in the affray between the conspirators (a few dozens, as before) and a small party of yeomanry and hussars at Bonnymuir, the banishment of several poor misguided men, and the execution, at Stirling, of Hardie and Baird, who, although known to be men of

patriotic sentiments and virtuous conduct, and to have been deluded by the villany of spies, were beheaded as traitors who had endangered the State! It was only as an introduction to the affecting account given by the Glasgow publication of these men's fate, that the brief history of the previous conspiracy of 1816–17 was given in the original work and in the Magazine.

Mr Kirkman Finlay having published an abusive letter in the newspapers, denying in general the accuracy of what was stated in that article, on the authority of the Glasgow publication reviewed, absolving Lord Sidmouth from the charge of originating the Spy System in the west of Scotland, and taking it upon himself, a severe answer to Mr Finlay's letter was printed by Mr Tait, in the Magazine for June 1833. In that answer, Richmond's deeds are again alluded to.

Towards the end of June, Mr Tait received a long letter, dated the 17th June, from Richmond, sent, as he said, "by the advice of his legal advisers," that Mr Tait might have the opportunity of inserting it *verbatim*, in the Magazine for next month, (July,) if Mr Tait thought it proper so to do.

The Magazine having been made up, and Mr Tait being from home, insertion of the letter was delayed till the succeeding month; and a leaf at the end of the July number devoted to a notice of the letter.

In reply to that notice, the following letter was received:—

London, 8th July 1833.

Mr William Tait,

I am advised to notice, and merely notice, the *additional* libel against my character, which you have thought *desirable* to publish in your Magazine for this month.

Your thirst for evidence shall be satisfied. *I pledge myself to furnish you with the means*,—the truth of History demands it,—but it shall be before a Jury, where you will have an opportunity of justifying, if justification you will dare to attempt, those gratuitous assumptions, and unfounded assertions, in which you have so largely and so scandalously indulged—and which, however bitterly and sarcastically expressed, cannot be received as evidence of guilt, based upon such *authority*.

Let the public, therefore, suspend their judgment, and abide the issue.—I make no appeal to *your* generosity—forewarned, my life and character would be safer under the uplifted dagger of the assassin, than dependant on your tender mercies. But if you possess any of that *justice* of which you boast, although your redundancy, even in that attribute, may be fairly doubted, you will *append* this to my former letter, which you promise to publish in the next number of your Magazine.—I am, &c. &c.

A. B. Richmond.

This letter was referred to in the Magazine for August 1833; in which number Richmond's letter of 17th June was printed *verbatim*, at his request; but accompanied with extracts from his own Narrative, and ample commentaries, in vindication of the truth of the previous articles in the Magazine.

These four numbers of the Magazine—May, June, July, and August 1833—contain the alleged libels.

For some months it was thought that Richmond would not dare to go into court. Indeed, that he should have come forward to challenge the first article at all, was matter of extreme wonderment to all connected with *Tait's Magazine*; not one of whom knew that he was alive, or supposed it possible that, if so, he could be in this country, bearing the same name which figured so much in the west of Scotland. Mr Tait heard no more of the threatened or intimated action till February; when, being apprized that Richmond had moved in it, by giving in a Declaration,—pleas were lodged for the defendants, taking the bold ground of justifying the alleged libels; a dangerous course, and one never adopted except when the defendant is certain he has done no wrong.

To enable him to examine many witnesses, without the expense of sending them to London, Mr Tait obtained a Commission to take evidence in Glasgow and Edinburgh. But to the surprise of everybody, Richmond made his appearance on the scene of his old exploits, and rendered the Commission of no avail. He had refused to join in the benefit and expense of the Commission; and, therefore, was only entitled to cross-examine. But the Commissioner, allowing Richmond to make as many speeches as he pleased, and to exhibit, make the witness read, and put in as many newspapers, letters, &c. as he pleased, to cross-examine as long as he pleased, and to ask any questions, however obviously irrelevant, as he pleased,—Richmond most amply availed himself of the means thus afforded him of defeating the objects of the Commission.

The examination of Mr Peter Mackenzie was protracted for about twenty hours, not more than two of which were occupied by Mr Tait's questions; the rest of the time being filled with interruptions and speeches by Richmond, and a cross-examination, for length and irrelevancy, without any precedent. Still he was not nearly done with the witness. But such conduct, on the part of Richmond, tolerated by the Commissioner with a seeming impartiality, productive of real injustice, could not be longer borne. An adjournment and a Report by the Commissioner to the English Court, of Richmond's conduct, and his own toleration of it, were insisted for. Baron Gurney referred the Report to the whole Court. This caused delay, and no less than seven adjournments of the Commission. But it now plainly appearing that, with Richmond for cross-examiner, and Mr Morrison for Commissioner, the objects of the Commission would be wholly frustrated, Mr Tait's agent caused the Commission to be closed on 11th November, and Mr Tait returned to Edinburgh, assured by the Commissioner that his Report would be despatched by the mail of next morning. But the remarkable history of this burked Commission, which cost Mr Tait about £100, is not yet done. It will be best learned from the correspondence which follows:—

Mr John Kerr, Writer, Glasgow, to Messrs Birkett & Son, Attorneys, London.

Glasgow, 11th November 1834.

To-day I felt it my duty to close the Commission in Richmond v. Marshall, &c., Messrs Finlay and Reddie having declined to attend, and there being no authority in the commission to compel their attendance; and Mr Salmond, though he attended, having declined to answer interrogatories; and,

above all, Richmond having still persisted in his plan of burying all evidence in a mass of rubbish, by a most harassing and vexatious system of cross interrogation, which seemed to be interminable, the ends of the Commission were entirely frustrated, and I therefore closed it. The Report of Productions will be transmitted by the Commissioner to Mr Baron Parke, by this mail, and therefore you may make arrangements for seeing the whole as speedily as possible, and communicate with Mr Tait.

I hope you will approve of the evidence I placed on the record of the Commission, of the reasons which induced me to close it.

Mr Kerr to Mr Tait.

Glasgow, 12th November 1834.

I annex copy of a letter I wrote to Messrs Birkett and Son last night.

I waited on Mr Reddie this morning, and found that he had been with Mr Morrison yesterday after we saw him, and prevailed on him to delay despatching his Report till to-day, that Messrs Reddie and Finlay's Note might be despatched along with the other papers. I send you a copy of this Note herewith.

Messrs Finlay and Reddie's Note.

Note for Kirkman Finlay of Castle Toward, and James Reddie, Advocate.

With reference to the summons and requisition served upon them, to appear and give evidence as witnesses, and to produce certain alleged documents, before Alexander Morrison, Esq., Writer in Glasgow, as Commissioner, appointed by the Barons of Exchequer, at Westminster, in the suit depending before the said Barons, between Alexander Baillie Richmond, plaintiff, and Richard Marshall and John Miles, defendants; Mr Finlay and Mr Reddie submit to the Commissioner the following short statement of the circumstances in which they are placed; to be transmitted to London, for the consideration of the Court.

Mr Finlay and Mr Reddie are advised, they cannot be compelled to appear before the Commissioner, and undergo examination as witnesses, under the Act I. Will. IV. c. 22, or otherwise; from the want of the requisite jurisdiction in Scotland. But they have no wish to avail themselves of any such objection; being quite disposed, in their private capacity, as individuals, to give their evidence, at the instance of any party, to the best of their recollection. They are advised, however, that, in the circumstances in which they stand, they cannot, consistently with their legal duty, submit to an examination, or answer interrogatories, relative to the share they had in the transactions out of which the present suit appears to have arisen.

In the winter of 1816-1817, the local authorities had reason to believe an extensive combination and conspiracy existed among the operatives in the manufacturing districts of the West of Scotland, in connection with a similar combination in Lancashire and other parts of England; and that the object of this combination, connected by secret oaths, was to overturn the government, or, at least, to effect some great change by physical force. In these circumstances, the late Sheriff of Lanarkshire, Mr Robert Hamilton, it is believed, by direction of the Lord Advocate for Scotland, caused various inquiries to be made secretly, with the view of ascertaining the real nature, object, and extent of this combination, and of obtaining such previous information as might enable the local authorities to be on their guard, and prevent the local mischief threatened; and, also, such evidence as might lead to a conviction, and enable the Lord Advocate thereby to put down the combination. As the Sheriff of Lanarkshire, at that time, laboured under severe bodily infirmity, and as the then Lord Provost of Glasgow was far advanced in life, Mr Reddie, first town clerk of Glasgow, and legal assessor to the magistrates, was requested to give, and did give, his assistance officially. Further, as the combination had assumed rather an alarming aspect, Mr Finlay, then member for the city of Glasgow, was requested by the then Secretary of State, to lend his aid, as a County Magistrate. A short time before this, Mr Jeffrey, now Lord Jeffrey, then a distinguished counsel at the Scotch bar, having obtained the acquittal of Mr A. B. Richmond, then an operative weaver, from a charge of combination to raise wages, and being struck with his intelligence, had requested Mr Finlay to procure employment for him; and Mr Finlay had actually made an application in his behalf, to the cotton mill establishment at Lanark. In these circumstances, it naturally occurred to Mr Finlay, as well as to the Sheriff, and Mr Reddie, that Mr Richmond might be useful in procuring the information desired by Government. He was, accordingly requested to endeavour to procure such information; of course, in a justifiable way. He agreed to do so; and communicated information, which was considered material, such as to entitle him to suitable remuneration; and which contributed greatly to the prevention of local mischief, but did not lead to the conviction of any individual. And, without entering into any further detail, Mr Finlay and Mr Reddie submit, and leave it to the Court to determine, whether, agreeably to the principles, not merely of the law of Scotland, but of the law of England, as recently particularly recognised in the case of Home *v.* Lord F. C. Bentinck, 17th June 1820—Brad and Pringle, vol. ii. page 130—it be or be not their legal duty, at the instance of any private party, to undergo any examination relative to the transactions before noticed; in which they acted solely in their official and public capacity under government; and which involved matters of public policy, affecting the safety of the state and the peace of the country.

On the behalf, and as authorized by Mr Kirkman Finlay, and for myself.

(Signed) Jas. Reddie.

Glasgow, 12th Nov. 1834.

Mr Tait to Mr Kerr.

Edinburgh, 13th November 1834.

I cannot allow Messrs Finlay and Reddie's Note to form part of the commissioners' report. But I am ready to open the Commission again, and examine them myself, if they will appear and answer.

It is absurd to suppose that the Court of Exchequer would give an opinion as to the course these gentlemen ought to pursue, when it has no power to enforce their attendance before the commissioners, or their answering all questions.

Messrs Finlay and Reddie will therefore have the goodness to say plainly, YES, or NO; and the Commissioner I trust, will delay sending off the Report, until it be known whether they will appear to be examined as witnesses or not.

Send a copy of this to Messrs Richmond, Finlay, Reddie, and Morrison.

By the early post of the 14th November, Mr Tait sent Mr Morrison a brief but strong remonstrance against his forwarding Messrs Reddie and Finlay's Note; and, by the evening post of the same day, agreeably to intimation in the first letter, a second and longer remonstrance, in the following terms:—

Mr Tait to Mr Morrison.

Edinburgh, 14th November 1834.

I must protest against your making any Report of the behaviour out of doors, of the witness Mr P. Mackenzie, or your making any allusion to proceedings of his—which neither took place while he was under examination, nor during an interval between the diets of his examination—as a matter decidedly beyond the line of your duty as Commissioner. In still stronger terms, must I protest against what Mr Kerr informs me has since occurred. The commission was closed in presence of the parties, and their agents, on Tuesday, before one o'clock. Instead of instantly despatching your report, that is, by the mail of Wednesday morning, I hear you have allowed yourself to be prevailed on by Mr Reddie, to delay despatching it, that Messrs Reddie and Finlay's Note might be despatched along with the other papers.

You, yesterday, received a copy of a letter I sent Mr Kerr, objecting in the strongest terms, against your receiving and forwarding the Note in any way. After closing the Commission, in presence of the parties, your functions, as Commissioner, were at an end. As Mr Alexander Morrison, I maintain that you have no right to interfere in this matter. You were not entitled to receive, or acknowledge, or forward even a simple declinature to attend, from any witnesses summoned. (Yet I should not have objected to that.) But, after closing the Report, dismissing the parties, and being "*functus officii*," your receiving *testimony* from men who would not submit to examination—testimony, while out of the reach of cross-examination—is a proceeding against which I must protest, as altogether unwarranted, and obviously unjust. It must have escaped your observation, that the Note of Messrs Finlay & Reddie contains a statement of alleged facts, and also of opinions, calculated, so far as received as correct, to operate in Richmond's favour. The Note contains all which these gentlemen could possibly say in Richmond's favour. Look at it again.

What right have these gentlemen, after failing to appear when cited as witnesses, and only offering to appear, after the commission was closed—clogging their offer, at the same

time, with an impossible condition—what right have they, I say, to offer a Statement of facts, (important, if correct, but which I maintain are incorrect,) and their opinions as to Richmond's conduct: thus giving testimony, while appearing to doubt the propriety of their giving any? And, with all due respect, allow me to ask what right have you to allow testimony, (of an informal kind, I admit, but calculated to benefit one and injure the other of the parties,) to be conveyed to the English court, through your means?

I trust you will yet return the Note to the gentlemen who proffer it; and decline receiving more than a simple declinature to appear, in consequence of their having acted in official capacities; if they choose to append that alleged reason to their declinature, as Mr Salmond did.

It is surely unnecessary for me to add, that you know me to be the real defendant; and that I hold a mandate from the nominal defendants.

Mr Richmond to Mr Kerr,

In answer to the copy sent him, of Mr Tait's Letter to Mr Kerr, of 13th November.

Eagle Inn, Glasgow, 15th Nov. 1834.

Sir,—Being absent from town in consequence of the death of a near relative, I have only this moment received your note of the 13th, with the inclosure.

I have no knowledge whatever of the Note from Mr Finlay and Mr Reddie, referred to by Mr Tait; but if any method can be suggested whereby I can facilitate the examination of those gentlemen, I am ready to do so, to the utmost extent of my means and power.

My sole object is to bring the FACTS *of the case fairly before the public;* and, to avoid the possibility of misconstruction, I have had no communication whatever with the two gentlemen above alluded to, since long before the action was brought.

I can only therefore repeat, that if I can in any way contribute to *compel* the attendance of *all parties* capable of illustrating the facts, I am ready to do so; but it must be obvious, from the great injury I have sustained, by being kept so long absent from my family and business, that any measures to be adopted must be promptly executed.

If you, Sir, have any suggestions to make on the subject, I shall most willingly attend to them.

Mr Finlay to Mr Kerr,

In answer to the copy sent him, of Mr Tait's letter to Mr Kerr, of 13th November.

Castle Toward, 15th Nov. 1834.

Mr Finlay has received Mr Kerr's letter, with its enclosure. He desires, in answer, to say, that he shall not hold any communication with parties, as to his conduct, in the cause in which Mr Kerr is employed; nor shall he suffer any observation of theirs to influence him in the least, much less can he consent that any of them shall presume to dictate to him what answer he may think fit to give to the Court or its Commissioner.

To further the ends of justice, Mr Finlay would cheerfully put himself to some personal inconvenience and trouble: but if the law and practice in such cases be, that examinations should not be consented to, under the circumstances in which he was then placed, Mr Finlay must, in the present instance, decline to do what all persons, under circumstances similar to this, have refused.

Mr Reddie to Mr Kerr,

In Answer to the copy sent him, of Mr Tait's letter to Mr Kerr, of 18th November.

Glasgow, 14th November, 1834.

I was favoured with your letter of yesterday evening, and, in reply, I have merely to state, that Mr Finlay and I abide by the Note in our behalf, lodged, on the 12th instant, with Mr Morrison, as Commissioner, appointed by the Barons of Exchequer in England.

Mr Morrison to Mr Tait.

Glasgow, 14th November 1834.

I am favoured with your letter of this date. Before its arrival, the Commission was signed, and the Productions sealed up; but supposing the matter still open, I do not think I could, in justice to Messrs Reddie and Finlay, refuse to transmit their reasons for declining to attend the Commission. If these reasons are insufficient, your counsel can argue that point before the Judge, and, if thought advisable, obtain a renewal of the Commission.

Mr Tait to Mr Reddie.

Edinburgh, 20th November 1834.

You were summoned as a witness in the action, Richmond v. the London Agents for Tait's Magazine, and did not attend the Commissioner at the time appointed. After the Commission had been closed, a joint Note from you and Mr K. Finlay was handed to the commissioner, and received and forwarded to the English court by him, contrary to my repeated protests. Had that Note contained nothing but your reason for not attending the commissioner, viz. that you had been engaged in the proceedings of 1816-17, &c., in an official capacity, and thought yourself not at liberty to divulge any of these proceedings, I should not have given you this trouble; for, whether your reason for declining to give evidence be a good one or not, my London solicitors tell me, there is no means of compelling the attendance of Scottish witnesses, either before the English court, or the Scottish Commissioner.

But you have actually given evidence in your Note, while seeming to decline to give any. You have voluntarily given a statement of facts, and of your opinions on the chief matters in dispute between Richmond and me. And these are all in Richmond's favour.

As some of the facts and opinions are in contradiction to what is stated by Richmond himself, and to what has been the general understanding of the country, I trust you will think that common justice entitles me to ask an explanation of the apparent contradictions.

After having given voluntary testimony in favour of one of the parties, I hope you will not refuse to give the other the explanations requested in the accompanying paper, which all bear direct relation to the statements in your and Mr Finlay's Note.

You know that I am the real defendant in the case; besides, I hold a mandate from the nominal defendants, Richard Marshall and John Miles of London, authorizing me to act for them in this matter.

(*A Letter in the same terms was sent by Mr Tait to Mr Finlay.*)

Explanations required from James Reddie, Esq. Town Clerk and Assessor of the city of Glasgow, and Kirkman Finlay, Esq., upon matters of fact contained in a Joint Note drawn up by them, and transmitted to the Right Honourable the Barons of Exchequer, London, as reasons for declining to compear before the Commissioner, Mr Alex. Morrison, appointed at Glasgow by the said Barons to receive evidence in the libel case, Richmond v. Marshall and Miles, now pending in the Court of Exchequer.

QUERY I.—In your Note, referred to in the accompanying letter from Mr Tait, you state—after having tendered what amounts to direct and most important testimony for the Plaintiff, Richmond—that, in the secret transactions in which you were concerned with that person, Mr Finlay and yourself, the joint note writers, "acted solely in your official and public capacity under government;" and, for this reason you plead silence on subjects "which involve," as you allege, "matters of public policy, affecting the safety of the state and the peace of the country." It is respectfully requested that you will explain what you mean by your public and official capacity preventing you from being examined for the defendants, while you give testimony for the Plaintiff, as it is certain that neither you nor Mr Finlay held any situation whatever, public or private, under government, or any responsible share in the local government of the county of Lanark, or of the city of Glasgow, in the years specified?

II.—In your note to the Barons, declining to give evidence for the Defendants, you, Mr Reddie, state, that you were "Town-Clerk of Glasgow, and legal Assessor to the Magistrates, and that you were requested to give your assistance officially." You are besought to explain who so requested you?—You were, it is submitted, the functionary of the Magistrates and Town-Council, and no more. Now it certainly was not under their authority that you, in concurrence with Mr Finlay, assumed, as the Plaintiff, Richmond, states, "*de facto*, the whole local government;"—under what responsibility, then, or by whose orders did you act, and under which you now plead silence as an official personage?

III.—You have said in your note, that the Sheriff of the county was at this time labouring "under severe bodily infirmity, and that the Lord Provost was far advanced in life:" Will you explain if, besides these two individuals, the whole magistracy of the town and county were also incapable, from age and bodily infirmity—that Mr Finlay and you,

the Town-Clerk of Glasgow, found it necessary to assume their power, and to act in this matter, secretly, for the entire body of the Magistracy; without, even according to the Plaintiff, Richmond's statements, any authority from them, and without once consulting them, during what you describe in your note as a period of great alarm and public danger?

IV.—You state in your Note that the Sheriff of Lanarkshire, Mr Hamilton, was "believed" to have been directed by the Lord Advocate to cause inquiries to be made secretly about an alleged treasonable conspiracy; and that he, the Sheriff, concurred with you and Mr Finlay in engaging the Plaintiff, Richmond, for that service, "it naturally occurring" (to the Sheriff, besides to yourselves) "that the Plaintiff, Richmond, an intelligent weaver, might be useful in procuring the information desired by the Government: Now, there is no evidence to shew that the Lord Advocate ever directed the Sheriff to institute such inquiries, and, in point of fact, by the Plaintiff's own statements, the Sheriff neither did know nor could have known, and consequently could not concur in the employment of the Plaintiff as a Spy for the Government?

V.—You state in your Note that this secret information which you engaged Richmond to obtain "was desired by the Government." Now, Mr Kirkman Finlay, in a published letter addressed to Mr Tait, says, that you, (or, at least, he,) the only apparent agents in this affair, in the first instance, voluntarily sent such information to the Government. This, Mr Finlay states, when compelled to clear Lord Sidmouth from the obloquy thrown upon him as a minister, by proceedings in the West of Scotland, in which it now appears he was greatly misled. How is it explained that the Government desired the information for which you employed Richmond, while Mr Finlay confesses, that he, at least, tendered to the Government the information of the far-spread, and frightful, and treasonable conspiracy, which you describe in your joint note?

VI.—It is stated in that extraordinary Note, which conveys at once strong evidence for the Plaintiff, and a vindication of your own conduct, couched under a declinature, upon grounds of State policy, to be examined for the Defendants, that you acted solely in your official public capacity under Government. And you have farther stated that, in the winter of 1816-17, you were requested to give your "official assistance, the Lord Provost of Glasgow being far advanced in life, and the Sheriff suffering under severe bodily infirmity." Your attention is desired to the character under which the Plaintiff, Richmond, says that you and Mr Finlay acted—and you are urgently requested to reconcile his statement with that which you have voluntarily tendered to the Barons of Exchequer, while refusing to be examined for the Defendants, unless upon a compulsory order or judgment, which, you may well know, the said Barons have no power to give. Richmond states, page 56 of his Narrative, that you, the town clerk of Glasgow, and Mr Finlay, the then member for the Glasgow district of burghs, "had, *de facto*, the whole local government," in consequence of what he calls "the general imbecility;" which imbecility must, it is apprehended, mean merely the inaptitude of the city and county magistracy for obtaining secret information, and detecting treasonable conspiracies, as they were exercising all their proper functions in the usual routine. Richmond again states, at page 66 of his Narrative, that, in these secret and mysterious affairs, "Mr Reddie was substituted for the sheriff of the county;" and, farther, page 89, that when the warrants of arrest came to be executed, (which could not be done without the shew of magisterial authority,) "though the sheriff of the county had nominally the management, Mr Reddie virtually conducted the whole official details;" and again, in note, page 111, "that none of the magistrates of Glasgow were consulted," though their authority must have been employed in arresting the alleged conspirators; and also, as Richmond states, many innocent persons. An explanation of all these things is respectfully requested.

VII.—You state to the Barons in your joint-note, that in the winter of 1816-17, (and, it may be remarked, in a very few weeks after the great Thrushgrove meeting for reform, which, it is universally believed, excited great alarm among the Tory party in the West of Scotland,) "the local authorities had reason to believe an extensive combination and conspiracy existed among the operatives in the manufacturing districts of the West of Scotland, in connection with a similar combination in Lancashire, and other parts of England; and that the object of this combination, connected by secret oaths, was to overturn the Government, or at least to effect some great change by physical force." Now, according to the Plaintiff Richmond, and by your own admission, you and Mr Finlay were the actual local authorities at this time: you were acting, as you state, in a public official capacity, from the Sheriff and the Lord Provost being, the one indisposed and the other aged, and the Magistrates, not more than these gentlemen, being in the secret. It was consequently, then, *you* and *Mr Finlay* alone that had reason to believe in this wide-spread and dreadful treasonable conspiracy; and how, or on what evidence you so believed, is of little consequence, as you have stated your belief to the Court of Exchequer, making it, among other reasons, a bar against your being examined before the Commissioner in behalf of the Defendants. You are requested to explain the grounds of your belief, if you are not now fully aware that no such treasonable conspiracy, "connected by secret oaths, and extending over the manufacturing districts of the west of Scotland, and Lancashire, and other parts of England," ever had any existence, save in the popular frenzy excited by the acts and arts which the Plaintiff so minutely describes. You have stated that no conviction was brought home to any individual upon the secret information which you and Mr Finlay obtained. And it is certain, that, even, with the aid of spies and instigators, no conclusive evidence was obtained of the existence of even *local* treasons and conspiracies; as, after repeated attempts to obtain convictions, the Crown Lawyers abandoned all the cases. Will you not either instantly recall your Note or correct your extraordinary statements upon this point?

VIII.—Richmond states, that when you engaged him as a secret informer, he was surprised to find that you had no other spy or confidential agent, and that he was compelled to point out for that service a person, (understood to be his friend and accomplice—Biggar;) and farther, that you depended entirely on him for information. Now, he repeatedly states, that the alleged conspiracy "had no connection whatever with England," (page 81,) "never extended beyond the neighbourhood of Glasgow," (page 71,) and was, in reality, contemptible; and that (before he was taken into your employment) he greatly doubted its existence at all. And he says he told Mr Finlay, in one of their first interviews, that he "considered nothing could better serve the purpose of the Ministry, and those opposed to every species of reform, than such an attempt, (conspiracy,) as it would serve as a pretext for throwing discredit on its advocates, and quashing the demand then so generally made for reform"—(Narrative, page 60.) That you have seen fit to represent this treasonable and revolutionary conspiracy in so appalling a light to the English Court, cannot surely be to magnify the services of the Plaintiff at that awful crisis, and to strengthen his title to what you for years laboured to obtain for him, and now call a "suitable remuneration" (given) "for information considered material, and which contributed greatly to the prevention of local mischief." And you are respectfully requested to explain this, as the Plaintiff himself asserts, that from his schemes being thwarted, by Mr Finlay in particular, *great local mischief*, so far from being prevented, *was created*.

IX.—Since, in behalf of the Plaintiff, you have assuredly stepped beyond what you seem to think the line of public official duty, and have refused to be examined for Defendants, placed by the libel law in the anomalous situation of being tried in a court having no jurisdiction in Scotland, and no power to call witnesses from that country, it is confidently expected that you will re-consider what you have said in your Note about Richmond's preventing "great local mischief," as that statement is at complete variance with the statements of the Plaintiff himself, (though he is a person not apt to underrate the value and importance of his own services,) as, according to him, the alarm was idle and artfully got up, and the danger pretended.—This *dreadful conspiracy*, as Richmond alleges, took its rise from the Thrushgrove reform meeting. Its mysterious birth and parentage are not at present in question; but it certainly first saw the light while, according to the Plaintiff, Messrs Finlay and Reddie "had, *de facto*, the whole local government." Its fosterage and management, Richmond described very graphically:—"The Magistrates of Glasgow were not let into the secret." "The Lord Provost was so much alarmed that he would not sleep in his own house for several nights," in consequence of rumours. Richmond asserts that these "rumours were purposely set afloat to *deceive* the Magistrates." Even Mr Finlay, but not Mr Reddie, sometimes quaked at the reverberation of his own thunder; or, as Richmond says, "Mr Finlay, though apprized it was a part of the *policy*, was not always free from *their*† influence, daily references being made to me to ascertain the truth." [Narrative, Note, p. 69.] The tactics of the extra-officials at this time is minutely described by the Plaintiff. [Narrative, pp. 68, 69.] "The system pursued," he says, "produced all the

† *Their influence*—that is the influence of "the rumours purposely set afloat to deceive the Magistrates."

bad effects that can result from an organized system of espionage, without any of the good." "The gang let loose upon this occasion belonged chiefly to the police establishment of Edinburgh, the local officers being too well known. They were not made acquainted with particulars, but were given to understand there were some secret measures going on against the Government, which they were to endeavour, by all means, to discover. The local officers also got a general notification, which, without being of any service, enabled them to assist in the howl, and add to the mass of misrepresentation." This cannot be called prevention of mischief, either local or general. The Plaintiff states, that there was no real cause whatever for these false alarms;—there certainly can be no justification of the means which, he asserts, were taken to excite them. He says, there was no cause for the arrest of any man: and it is certain that many innocent men were arrested. It is undeniable, that great misery and ruin to individuals and families was the result—that large sums of the public money were lavished—that much distrust of the public justice of the country, and odium and hatred of its administrators were excited, which yet burn in the hearts of the people of Glasgow—that though the law was certainly strained to the utmost, no conviction was obtained; and that the *Habeas Corpus* Act was in Scotland suspended without cause, as, Richmond states, the Solicitor-General himself afterwards privately acknowledged. Will Mr Reddie, therefore, be pleased to explain what is meant in the Note to the Court of Exchequer, by Richmond's secret information "contributing greatly to the prevention of local mischief," when that person again and again proclaims, that great mischief was created by his information being improperly acted upon, and by "the gang being let loose," "the rumours being set afloat," and, finally, by the arrests made "without the Magistrates being consulted?" It is thus the Plaintiff describes the third act of the drama in which he figured, which opens after seventeen or eighteen persons, who had been inveigled to attend an illegal meeting by the Spy and accomplice Biggar, were arrested. "Warrants," he says, "were issued for the apprehension of a great number more; and so little attention was paid to the accuracy of the information, and so much anxiety was shewn to increase the apparent magnitude of the confederacy, that, in the confusion of the first few days, several were arrested who had no connection whatever with it." Will Messrs Finlay and Reddie explain in what manner great local mischief was prevented by these proceedings?

X.—In relation to the assertion in the Note that great local mischief was prevented, the attention of Messrs Finlay and Reddie is farther requested to the fact asserted by Richmond, in his Narrative, p. 110, that the Lord Advocate Maconochie, after the third indictment he had drawn had failed against the persons arrested in Glasgow and arraigned for high treason, said, the blame originally was not attributable to him, the Lord Advocate, but to the local authorities in Glasgow, who had taken the people into custody without orders. Will Messrs Finlay and Reddie, who, in the winter of 1816-17, according to their Note, sent to the Court of Exchequer, "acted solely in their official and public capacity under Government," in order to the "prevention of local mischief," explain, why, the first crown officer in Scotland did (according to the assertion of Richmond) complain of the line of conduct pursued in Glasgow, which in fact, produced not merely local mischief, and spread needless alarm, consternation, and misery through society, but was the cause of great national disgrace—disgrace to the Crown Lawyers, scandal to the public justice of the country, and, finally, led to a solemn investigation in the House of Commons, which, of course, was settled in the usual manner of *unrepresented* times: Will Messrs Finlay and Reddie explain upon what ground the Plaintiff was entitled to remuneration from the public purse for aiding in the accomplishment of these results?

XI.—There are some minor errors in the joint note, which, as they are of injurious tendency to the Defendants, require explanation. The writers allude to the Plaintiff as Alexander *Baillie* Richmond: now, in point of fact, the person to whom they refer as having been employed by them to obtain secret information regarding a treasonable conspiracy, was named Alexander Richmond; and they farther assert, that this person, Alexander *Baillie* Richmond, when tried for combination, was *acquitted*; whereas, the truth is, that Alexander Richmond, being indicted for combination, fled and was outlawed, lived under outlawry for above two years, surrendered himself to justice, was tried, and—*not acquitted*, but pleaded guilty, and was sentenced to imprisonment.

XII.—Messrs Finlay and Reddie have transmitted to the Court of Exchequer, through the Glasgow Commissioner, the day after the Commission had been formally closed, and after Mr Tait, who acted for the Defendants, had returned to Edinburgh, and when Mr Morrison, who had been Commissioner, had no power to act longer, a joint note, most unfairly tendered, in justification of themselves, and giving, were it correct, important testimony for the Plaintiff, while they plead, under the act 1st William IV. c. 22d, and what they call their public official capacity, for refusing to appear as witnesses, and to have the truth of their averments sifted by counsel in an examination upon oath. They indeed affect to refer to the Barons of Exchequer: though, as a lawyer, Mr Reddie must know, that the Barons have no jurisdiction, and neither can nor will interfere. Upon such unprecedented proceedings, (especially upon the part of Mr Reddie, the legal assessor of the Magistrates of Glasgow,) it is not proposed to animadvert; and all present allusion to the personal and confidential connection, friendship, and correspondence, which the Plaintiff states in his Narrative that he long held and enjoyed with that gentleman, is forborne. But it is conceived that Mr Reddie is bound to explain the Note transmitted to the Court of Exchequer, as the course he has taken now renders this, in common justice, imperatively necessary for the protection of the Defendants. It is presumed that, though the sum which Mr Reddie ultimately had the satisfaction of paying to Richmond from the public purse must, for reasons of State policy, be concealed, no public reason whatever exists for concealment of the sums which the Plaintiff demanded, and which Lord Sidmouth long refused. There can be no public reason why Messrs Reddie and Finlay should not state the nature and extent of the Plaintiff's claims of indemnity for alleged pecuniary losses and sacrifices, which they repeatedly enforced at the Home Office, especially as this is wholly a private and personal affair.

XIII.—It is also expected, in common fairness, that, since Messrs Finlay and Reddie have stated in their joint note, that they employed Richmond, an intelligent weaver, to obtain secret information, but, of course, in a *justifiable* way, that they would now exhibit a copy of their secret instructions to him for his guidance in the extraordinary duty assigned him; as these private instructions can now be no State secret, and as the Defendants have undertaken to prove, on the production of this document, that the Plaintiff acted in an *unjustifiable* way. That such instructions should be exhibited, is humbly conceived to be necessary to the exculpation of Messrs Finlay and Reddie themselves; and it cannot for a moment be supposed that, at an alarming crisis, they sent abroad among his Majesty's subjects a secret emissary, tempted by the offer of place, and furnished with money and a roving commission; but that on the contrary he must have received positive instructions, and that a definite line of duty was prescribed for him.

Finally, Messrs Finlay and Reddie are urgently requested to do away, as far as is now possible, the bad consequences of the joint note, so unwarrantably tendered by them, and forwarded to the Court of Exchequer by the quondam Commissioner; and to atone for that act to the Defendants by ample and satisfactory explanation on all the points above alluded to.

It will be seen, at a glance, of how much consequence it might have been to the defendants to obtain answers from Messrs Finlay and Reddie to these queries; for the evidence given by them, in their Note, could not fail to operate strongly in Richmond's favour, and against the defendants, if not counteracted by the cross-examination of these remarkable witnesses, or by their answers to the above queries, which were designed to serve as a substitute (an imperfect one, after all) for the usual legal cross-examination. Happily for the defendants, the English court, on a representation of the nature of this unprecedented Note, made by the defendants' attorneys, refused to receive the note in evidence, or even to allow office-copies to be given out; and the strict adherence of the Court to the law of evidence, prevented any allusion by the plaintiff to a document so very much in his favour; so that, after all, the Note proved neither better nor worse than so much waste paper. Whatever were the objects of its authors and its forwarder, they were all frustrated. The Note served neither the purpose of whitewashing Richmond, nor of injuring the case of the defendants. It served neither as a justification of Messrs Finlay and Reddie's connection with Richmond and the transactions of 1816-17, nor as an excuse for their declining to give evidence in this cause. But all this, Messrs Finlay, Reddie, and Morrison can scarcely be supposed to have anticipated; otherwise, the Note would neither have been tendered to the Commissioner by Messrs Reddie and Finlay,

nor have been received by him. As little was that result of the note anticipated by Mr Tait, who was, not unnaturally, alarmed at such testimony to Richmond's merits, from so important a quarter.

Messrs FINLAY and REDDIE to Mr TAIT.

In answer to Mr Tait's Letter of the 20th November, and the above queries.

In reply to Mr Tait's letter, dated the 20th November last, but only delivered at Mr Reddie's office on the 5th December instant, Mr Kirkman Finlay and Mr Reddie have merely to state, that, although the summons was only left at the counting-house of James Finlay and Co. in Glasgow, while Mr Kirkman Finlay resided at Castle Toward, upwards of thirty miles distant, and at Mr Reddie's dwelling-house in Glasgow, on Monday the 10th November last, both to appear next day, at eleven o'clock, they did not decline to give evidence as witnesses in the suit at the instance of Richmond *v.* Marshall & Miles, on the ground of any informality of citation, or want of jurisdiction in the English Court or Scotch Commissioner; but were advised they could not do so, consistently with the due discharge of their public legal duty; and, therefore, explained to the Court, through the Commissioner, the circumstances in which they were placed, leaving it to the Court to determine whether they ought to give evidence, as witnesses, or not. In their explanatory note, Mr Finlay and Mr Reddie gave no statement beyond what was necessary to convey to the Court the knowledge of their situation, as now called upon to bear testimony; and they neither intended to give, nor have given, any evidence in favour of either party. Indeed, it does not require much knowledge of law to perceive, that their statement, in such circumstances, cannot be received, and will not be received, or admitted, as evidence between the parties, by any court of law, whether English or Scotch. The requisition for various explanations, transmitted by Mr Tait, on the 5th December inst, is quite unwarranted, and, he must be aware, cannot be complied with.

Glasgow, 9th December 1834.

For, and as authorized by Mr Finlay, and for myself,

JAS. REDDIE.

LITERARY REGISTER.

NEW POEMS.

The Exiles of Chamouni, a Drama; and the Rose of Cashmere, an Oriental Opera. By Charles Doyne Sillery, Esq.

Mr SILLERY gallops his Pegasus at such a fiery-footed pace, and makes so many strange gambades, curvets, and caracoles, that we fairly give up all hope of being able to keep up with him, although the haze of the Brocken and the cloud-capt Alps, among which he chooses to disport, did not wrap him from mortal sight. The "Exiles of Chamouni," is a drama, written for the purpose of "exhibiting the dreadful nature of sin." In it the devil, though in face of the proverb, scarcely gets his due.

The Riches of Chaucer.

A selection, in two close-printed volumes, from the voluminous writings of the "Father of English Poetry." We consider this, after all, the chief poetical trophy of the month. The Editor, Mr Charles Clarke, has modernized the spelling, explained the obsolete words, expunged the antique grossnesses and simplicities—for we will not adopt his word, "impurities"—and, in short, *restored* this delightful and most truly English old author to popular acceptance. In this he has done excellent service, which, we trust, the public will duly appreciate.

Selections of the English Poets, from Spenser to Beattie. London: Scott and Webster.

Right glad are we to find that the sterling English Poets of former generations are not yet quite forgotten. This volume is one of the most pleasant remembrancers of this agreeable fact that we have lately seen. In exterior, it is as handsome and more substantial than any of the *Annuals*. Its contents are the amaranthine flowers and the rare gems of English verse; and it is studded with appropriate engravings, sufficient to furnish several Annuals. A boldly engraved portrait of Goldsmith, instead of some mawkish specimen of fashion, forms the frontispiece; and the work is enriched with beautiful vignettes; a style of embellishment for which we have an especial predilection. To ladies and young persons, or those who select for them, we recommend this volume upon even a higher principle than that on which the Vicar of Wakefield's wife chose her wedding gown,—It will not only wear well, but it is beautiful from the first.

From a CORNUBIAN, we have RECREATIONS IN RHYME—sprightly humorous stories and sketches in easy jingling verse, one of which is worth a whole shelfful of "woful ballads to a mistresses' eye-brow."

We may notice here that Mr Ryan of Huddersfield, and Mr Parke of Glasgow, has each produced a volume of verses. Mr Parke is already favourably known to the literary world—Mr Ryan deserves to be so.

Songs of the Months.

The poetry and music published during the last year in the *Monthly Repository*, are here gathered into a garland for "the hoary head of Time." They form an elegant, as we have no doubt they will an acceptable volume, and welcome token in social and friendly circles.

WORKS IN SERIES.

The Architectural Director. Nos. 8, 9, 10. By John Billington, Architect.

We understand there are some generous individuals, Great Unknowns, who at present send gratuitously to the Artisans' Reading Rooms the *Standard* and such other journals as may keep the subscribers sound and orthodox in their political faith and opinions. We have no objection to this; but still would suggest that to such gifts works like the Architectural Director were added, or, if need be, that they should be substituted for the Tory journals.

Allan Cuningham has brought his edition of Burns to p rosperous conclusion, and crowned his labours by a w appropriate and felicitous stanzas. Other Scottish r ds have woven flowers in the crowning garland; and mong them we would distinguish the verses of Mr David Vedder, which are in the true spirit of Burns. This edition may not be without its faults. The text is sometimes overloaded with mere make-weight commentary, and the criticism is occasionally bald enough: but, take it as a whole, the Burns of Allan Cuningham will long remain a favourite edition of the works of the NATIONAL BARD, with all who possess a spark of genuine Scottish feeling.

VALPY'S HUME goes on with business-like punctuality; and so do those cheap and valuable reprints, entitled the SACRED CLASSICS. They have now reached twelve neat volumes; forming a Body of Divinity of the highest value, and selling at £2 : 2s. This we pronounce a *good work*; one whose value time will not soon depreciate.

The 16TH PART of the POPULAR ENCYCLOPEDIA is before us. It is a business-like Part, and gets over a good deal of ground by judicious condensation. The History of the East India Company, and of Ecclesiastical Establishments, are valuable statistical articles. The Number also comprehends Electricity.

A third volume of MARTIN'S BRITISH COLONIES has appeared; and a Life of HANNAH MORE, with her Correspondence, which, if more full, is not more accurate, nor nearly so just as that which appeared in this Magazine. This long life exhibits Hannah More as she chose to appear in full dress, or in a careful dishabille in her correspondence; that of the Magazine is the true character shewn in its recesses, and with all its internal actuating motives displayed, whether petty or mixed, benevolent or selfish.

Illustrations of Social Depravity. No. VII. The Freemasons.

This Number is devoted to the strange history of the murder of William Morgan, in the State of New York, by a conspiracy among the Freemasons. This atrocious crime made a great sensation a few years back. The narrative possesses much of the interest which usually belongs to a tale of "Murder will out," though it is rather overloaded with minute, unimportant circumstances. The moral hinges upon the blood of Morgan crying from the ground unavenged, no individual having been yet called in question by the lodges for taking part in the dark crime of his mysterious murder.

BOOKS OF 1834.

We must close close our account-current with the publishing year, 1834. Many of its more valuable productions we have already noticed. Some, not the least deserving, have been deferred, upon the complimentary understanding that they were good enough to stand over; that they were of a quality that will keep, and yet be neither neglected nor forgotten. Among the more important of those which we must now cursorily notice, is SOUTHEY'S BRITISH ADMIRALS. It is a piece of respectable compilation, and nothing more. The writer had no farther object than to tell distinctly the old stories of Drake and Hawkins in the best fashion of the book-makers—and this he has accomplished.

Cabinet of Friendship. A Tribute to the Memory of the late John Aitken. Edinburgh.

This is a token-volume, amiable in the motive of publication, and interesting in its varied contents. We are informed in the preface, that those who loved Mr Aitken living, determined to honour his memory when a premature death snatched him from a young family, in the way he would most have approved, namely, by contributing to a publication, designed to be a tribute to himself, and a benefit to his children. The contributors are chiefly the writers for Constable's Miscellany, of which Mr Aitken was the editor. We hope the work may largely fulfil the reverential and affectionate purpose for which it is brought out. It is graced with many familiar and some attractive names in modern ephemeral literature, and contains both tales and poems that enable it to compete with the best of the annuals.

The Comic Almanac.

The removal of the duty has this season been the cause of the appearance of a whole host of almanacs, of all sizes, characters, and conditions. The "Comic Almanac," by George Cruikshank, is, however, an *Unique* among the tribe. His ILLUSTRATIONS OF THE MONTHS are purely Hogarthian. The subordinate department of the Almanac shews humour and sprightliness, though not always the best taste. We could have spared the plate at page 28. The "Comic Almanac" gives a list of his Majesty's Ministers, of which Lord Melbourne is the head. The Cabinet this year baffles the almanac makers. It is a singular fact, that this year some of the Edinburgh Almanacs are published without any Ministry at all! The nation might be compelled to wait the return, or the pleasure of Sir Robert Peel; but the press could not—and the Edinburgh Almanacs ominously appear without any Government.

Fisher's Gage d'Amitié.

This is the second appearance of this national annual. It is devoted to the picturesque scenery of the North of England, to the mountains and lakes, the castles, ruins, cathedrals, and border-holds of the counties of Westmoreland, Cumberland, Northumberland, and Durham. It presents views of celebrated places that one longs to see if they have never been beheld, and of which, once seen, it is pleasant to possess some agreeable memorial. The letterpress descriptions abound in historical and traditional tales of border scenery and border chivalry. To those who can afford, in a moderate way, to gratify a sound and rational taste for the arts, we recommend this cheap, handsome, desirable, and not expensive volume.

Archery and Archness.

This is a little work composed of puns and conceits, burlesques and travesties, in prose and verse—some of them lively, and others heavy and flat enough; yet, one with another, fat and lean, they form a rather amusing melange to those who are not attic in taste, nor fastidious about the quality of the wit, which serves its purpose with them, if it excite a temporary laugh.

Tough Yarns. By the Old Sailor.

This work has the true, ancient, fishy, sea-weedy smell. It is, in short, a very clever log-book: yet the plates, by George Cruikshank, are twice as clever, and, in his brilliant short-hand, tell much better stories.

MEDWIN'S ANGLER IN WALES, is a pleasant, gossiping, sketchy, *anecdotal*, dramatic, and descriptive work, upon which the author has poured forth the choice parts of his portfolio and of his diary. The work is fully as Welsh in its charming woodcuts, as in the letterpress, which rambles pleasantly over India, Italy, and all the world. The author—*Byron's* Medwin—does severe justice upon his capricious friend.

THE ANGLER IN IRELAND.—The Green Isle of the West is not just at present a country for a man to disport himself in pleasant fancies, or to pursue amusement and recreation, and believe the public will sympathize in light pleasures gathered in so sad a scene. We accordingly think the "Angler in Ireland" shews bad judgment and defective taste, with a mixture of agreeable description.

BENNET'S WANDERINGS IN NEW SOUTH WALES, is another of the many modern works of this kind: extensions of journals and memorandums made by sea and land, which take the place of late of the more formal travels. Much of the work is dedicated to natural history, and objects interesting to men of science. The work contains many curious notices of the manners of the aborigines of New Holland, and of the New Zealanders.

THE LITERARY SOUVENIR.—This is almost the oldest of the Annuals. It is, therefore, entitled to take precedence in setting out upon a new and better tack. The hopeless attempt of resting any strong or permanent claim upon literary merit is surrendered, and the editor has taken the prudent course of getting up a highly embellished work; a volume to be turned over again and again; looked at admiringly, and not read critically. For this purpose the size is enlarged, and the numerous engravings are of a kind which entitles the *Souvenir* to take a distinguished place as a work of Art among the productions of the season.

THE EDINBURGH UNIVERSITY ANNUAL, is the name assumed for a small volume, containing several prose sketches and poetical pieces, which, at a glance, we can perceive to possess merit of no ordinary kind. We regret that our limits preclude quotation at this particular time, when our literary register, already far in arrear, is full to overflow; but we promise ourselves the pleasure of looking back upon it, and, in the meantime, recommend the new aspirant after literary honours to the attention of the public.

Translation of the Abbe De la Mennais' Words of a Believer.

A translation of this celebrated work, which has been denounced from the Vatican—excommunicated "by book and bell," has just appeared in London. The Holy Alliance is as likely to denounce it as the Holy Father. In France it has made a great sensation. In Britain it will be regarded as a curiosity, though many people will wonder for what does the Pope disquiet himself.

Discoveries in Asia Minor. By the Rev. F. J. Arundel, British Chaplain at Smyrna.

This is an extremely entertaining memorial of travels and discoveries in an exhaustless field. In it living manners vie in interest with classic and sacred antiquities and recollections; and learning is made the handmaid of discovery and observation.

Lectures on Intellectual Philosophy. By the late Dr John Young, Professor of Philosophy in the College of Belfast.

The pupils and friends of Dr Young, after his death, expressed a strong desire that his lectures should be published. The wish has been complied with; and the lectures have appeared in a large octavo volume, to which a memoir of the lecturer is prefixed by the editor, Mr Cairns, Professor of Logic in Belfast. Dr Young was much esteemed during his life; but whether this publication of his lectures will add to his fame, we are not yet prepared to say. They are nearly limited to the history of intellectual science, and contain less original speculation or disquisition than we looked for. We mean to say that they are of more value as a text-book for students in the philosophy of mind, than as a system aspiring to originality.

The Autobiography of a Dissenting Minister.

The author of this fiction is as plainly revealed to us as if he printed his name in the title-page of his book. He has frequently, in a small way, done his *devoir* in the good old cause of Mother Church, and should not find her ungrateful. The present work is one of his most successful attempts to bolster the vicious system. In name of a dissenter, he caricatures the discipline and internal polity of that body, and magnifies and distorts the ungenerous, fickle, tyrannical and capricious treatment to which, according to him, that trampled worm and degraded slave, a dissenting minister, is subjected. But the book is not without a certain mixture of truth. There are not wanting instances of tattling, whispering, gossiping, and officious intermeddling in dissenting congregations. We would have them use this story as people, anxious about their good appearance, do those magnifying looking-glasses, that are made to shew warts, and moles, and superfluous hairs, which are to be removed from the fair face such deformities disfigure. Thus employed, it may be useful, though it does not reflect either a true or a favourable likeness.

Bagster on the Munagement of Bees.

Mr Samuel Bagster is by profession far enough removed from *apiarian* studies. He is a printer, who becoming fond of the study of natural history, concentrated his mind upon this favourite branch, and, accordingly, produced a complete treatise on the internal economy of the honey-makers, and a system of beneficial bee-management. He has also invented or improved a *Ladies' Safety Hive*, as an inducement to the fair sex to take interest in the labours of his favourites. We are glad to observe, that he denounces the cruel and ungrateful practice of suffocation, and describes the humane process of fumigation, which better serves the intended purpose; as by it the bees are only stupified, and in a certain time revive again, the honey being in the meanwhile taken away. We find many other ingenious novelties; as *bee-unions* to strengthen a stock. The work contains many pleasant anecdotes, and is illustrated with numerous wood-cuts explanatory of the author's lessons to apiators. Mr Bagster, who is an enthusiast for bees, has also re-published *Spiritual Honey*; an old work by Purchas, the quaint historian of the early English navigators.

The Fruit Cultivator By John Rogers.

Mr Rogers is a venerable image of Father Adam, and has reached fourscore and three. In this treatise he lays before the world the fruits of his ripened experience in a plain practical manner. He was formerly of the Royal Gardens, and now dates from Southampton Nursery. We do not feel qualified to pronounce upon the merits of his work, which, we regret the more, as we cannot even afford space to those learned Scotch horticulturists who are entitled to judge.

Easy and Amusing Experiments for the Parlour and School. By John Smith. Simpkin and Marshall.

This is a good little book for teachers; but especially for maiden aunts and grandmothers who assume the office. It is, however, liable to the objections made against all works of this kind that are arranged in the interrogative form.

Book of the Reformed Parliament. By Richard Gooch, Esq. London: Baily.

Let no elector be without this book, unless he has himself noted, in every instance, and upon every division, the vote of the representative he has chosen. It exhibits, in a synoptical form, and in a small space, the nature of every important question debated, the mover's name, the gross division, and the particular vote. It is a compendious mirror of the Reformed Parliament, and is to be continued at the close of every Session. It does not seem quite accurate; but this can be improved in future years. We do not see the price marked, or we would quote it, but it cannot be above three or four shillings. We heartily recommend it as a companion to the polling-booth, and a work to be consulted by every man to whom the elective franchise is intrusted.

FINE ARTS.

Finden's Byron's Beauties.

The First and Second Parts of a series of ideal portraits under the above title has appeared, upon which the respective artists have bestowed great care. The first is *Zuleika*, a sweet, lovely, innocent creature, *Turkish* in costume but *Saxon* in the style of her girlish beauty. This portrait is painted by Wright, and is finely engraved. *Donna Julia*:—It is not easy to paint a Donna Julia which can fill up the ideal image to the readers of Byron. He has himself disfigured that character, by giving to the tender, devoted, and impassioned Julia, qualities which never yet met or blended in the same female bosom. She is as womanly-devoted as the Eloise of Abelard, and as flippant and impudent as the chambermaid of a modern farce. The opposite characters are an outrage to nature—a moral impossibility. The portrait is that of a charming woman, and such as Donna Julia may have been. *Donna Inez*, "the Lady-mother mathematical," is a portrait full of character, but not of the character which imagination assigns to that odious piece of vice, prudery, and hypocrisy. The Second Part contains an enchanting picture of Anah and Aholibamah.

Faust, a Serio-Comic Poem, with Twelve Outline Illustrations. By Alfred Crowquill.

We are not sure that we relish the scoffing and malicious mockery of travesties of this kind. *Faust* is, however, becoming such a *bore* to the merely English reader, that one is glad of the relief of seeing him in Harlequin clothes. One may therefore give up Faust, Martha, and Mephistopheles, to the mocking fiend, Caricature; but it is not easy to endure the distortion and disfigurement, into a coarse Moll Flanders, of Margaret, the very spirit of youth, love, trustfulness, and self-devotion.

Memorials of Oxford

The pictorial work which we have formerly had occasion to notice with high approbation, has now reached the 26th Number. It is continued with the same striking beauty, and spirit in the engravings, which distinguished the early numbers, and the same accuracy of description and elegance of letterpress. It is altogether a work worthy of the first University in the world; and of the gentlemen of England, for whom it is intended.

Peter Brown, Printer, 19, St James' Square.